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WHAT CONGRESS HAS DONE.

BY REPRESENTATIVES McKINLEY, OF OHIO, LODGE, OF MASSACHUSETTS, DALZELL, OF PENNSYLVANIA, FITCH, OF NEW YORK, McADOO, OF NEW JERSEY, AND CLEMENTS, OF GEORGIA.

MR. McKINLEY:

THE first session of the Fifty-first Congress has been, with a single exception, the longest one in our history. Although the first session of the Fiftieth Congress lasted until October 20, the session just closed, by reason of its longer daily sittings, has by far exceeded that in actual working-time, and the amount and character of the legislation accomplished are remarkable when contrasted with that of previous sessions.

It was preëminently a business session. Both branches of Congress were in the hands of the Republican party, and upon that party rested the responsibility for the legislation enacted.

The Republicans assumed control of the House of Representatives on the first Monday in December last with a scant majority, with most important public business pressing, and confronted by a minority determined to obstruct, as far as possible, the progress of business. The Speaker announced the appointment of the most important committees within ten days after the session opened, the entire list being completed shortly afterward, so that the House had really entered upon its labors before the Christmas holidays. This in itself is worthy of especial notice, for commit-

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tees have seldom been announced heretofore until after the recess, and the House rarely, if ever, been in working order until some time in January.

Immediately after reassembling the first great question to engage attention was that of a quorum. The filibustering tactics of the opposition were obvious from the outset. Indeed, Roger Q. Mills, their leader, had already declared that no business whatever should be transacted during the session without their consent; that they would control legislation in the House just as though they were in the majority. Under the rule as previously construed it was possible for the minority to hinder and delay work indefinitely unless every member of the majority happened to be in his seat, which with ordinary casualties was impossible. The minority's mode of procedure was to call for the yeas and nays upon a dilatory motion, sit silently in their seats, refusing to vote when their names were called, and then, upon the announcement of the vote, make the point of "no quorum." This, of course, blocked the wheels of Congress, and made the minority, as obstructionists, the masters of the situation. The present Speaker's construction of the rule was that a majority of all the members of the House constituted a quorum when present and in their seats, even though refusing to vote upon roll-call; and he so ruled. This ruling has had the effect of placing the majority in possession of the House, instead of a filibustering minority, and has greatly facilitated legislation. Without it much of the work done would have remained unaccomplished, and the session, instead of being one of performance, would have been totally barren of results, except so far as they were approved by the minority.

There were introduced in the House during the session 12,402 bills and joint resolutions, and in the Senate 4,570, making a total of 16,972. This far exceeds any previous record in this respect, the nearest approach to it being in the first session of the last Congress, when 15,598 bills and joint resolutions were introduced. The House committees during the past session made 3,215 reports, and the Senate 1,817 (account being taken only of written reports in the Senate); 1,292 bills were passed by the House, of which the Senate passed 849; the Senate disposed of 1,100 bills, of which 486 were sent to the President for his approval, making a total number of about 1,335 acts or laws, against 1,790 for the whole of the last Congress. Of these acts, 606 House

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and 275 Senate bills were for pensions to soldiers, their widows and children.

These figures are based upon reports made a few days before adjournment. The list of Senate bills passed by the House was considerably increased after this compilation, that body having acted upon them while waiting for the Senate to dispose of the Tariff Bill.

The people had intrusted to the Republican party the power of legislation upon a platform of pledges and a declaration of party purposes which good faith required should be strictly adhered to. And faithfully has the party fulfilled its promises to the people;—not a purpose which has not been executed; not a pledge which has not been kept.

One, and really the most important, plank in the platform upon which the party secured the ascendancy declared a purpose to revise the tariff laws of the country upon the lines of protection; and in response to that open avowal Congress has passed a bill, and the same is now a law, embodying a complete revision of the tariff, but in full recognition of the principle to which the party is attached. This bill lowers duties where they were unnecessary, and it increases them when by so doing great industries can be built up and encouraged, thereby enlarging the field of employment by increasing the demand for labor. In the formation of the new bill it has been the endeavor throughout to so levy and adjust duties as to cover the difference in the labor-cost of this and competing countries.

The House passed an Election Bill, and it is now pending in the Senate, under which, when enacted into law, as it will be at the next session, every lawful citizen, rich or poor, native or foreign-born, white or black, will enjoy the right to cast one free ballot in public elections and to have that ballot duly counted.

The Disability Act, the most generous piece of pension legislation ever passed by any nation on earth, was enacted into law during the last session as a fulfilment of the promise made by the party to care for the defenders of the Union. By its terms a vast number of disabled soldiers, widows, and orphan children are placed on the pension-roll; and dependent parents, in order to be provided for, are only required to show by competent testimony that they are without means of support. It will carry comfort and cheer to thousands of homes throughout the land.

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On the subject of the forfeiture of unearned public lands granted to railroads the House has at this session restored to the public domain over 8,000,000 acres of land, so that the same can be placed within reach of our citizens for homestead purposes.

Gigantic corporations, whose greed and cupidity have extended all over the country, fleecing the poor of millions of dollars, and with whose enormous wealth thus acquired the legislatures of States have been sought to be bribed—these, and all of them, have been stamped out of existence by the passage of the Anti-Lottery Bill.

The Customs Administrative Bill recently passed by Congress has for its chief purpose the prevention of undervaluations and the protection of honest importers against the unscrupulous. It is believed that it will result in taking out of the hands of dishonest men the business of importing, and place it in the hands of honest merchants. Its chief agency for accomplishing this is a Board of General Appraisers, who will have supervision over appraisements and classifications for duty of imported merchandise, in order to secure lawful and uniform appraisements and classifications at the several ports.

A National Bankruptcy Bill is included in the list of important measures adopted during the last session, the same being demanded by boards of trade, chambers of commerce, and commercial bodies generally.

Among the more important pieces of legislation accomplished is the Silver Bill, which provides for the purchase of silver bullion and the issue of treasury notes thereon. It directs the Secretary of the Treasury to purchase from time to time silver bullion to the aggregate amount of 4,500,000 ounces monthly, or so much thereof as may be offered in each month at the market price, not exceeding $1 for 372.25 grains of pure silver, and to issue in payment for these purchases treasury notes of the United States in denominations not less than $1 nor more than $1,000, which notes are redeemable in silver. This law will utilize every ounce of the silver product of the country and more—utilize it for money and turn it into the channels of trade and avenues of business. As a result, silver is nearer parity with gold to-day than it has been for the last fifteen or eighteen years. The circulating medium is increased and made absolutely safe, with all the money of the country interchangeable with gold and silver and redeemable in either or both of these metals.

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During the session provision was made for the admission of two new States, Idaho and Wyoming. In the case of Idaho the Territorial Constitutional Convention of July 4, 1889, was formally approved by ratifying the constitution then adopted. This enables Idaho to elect a governor and other State officers, to choose a legislature, which will elect two United States Senators, and to elect a Representative to the National House this fall. In the case of Wyoming the constitution of September 30, 1889, was ratified and confirmed. Oklahoma is made a territory.

This Congress has already passed an Anti-Trust Bill, designed to protect trade and commerce against unlawful restraints and monopolies. Under its provisions every combination in the form of a trust, every ring organized for the purpose of controlling prices, or which places restrictions upon trade or commerce between the States or with foreign countries, is declared to be illegal, and penalties are imposed for a violation of its provisions. The circuit courts of the United States are invested with jurisdiction to prevent and restrain violations of the terms of this act.

Among other notable measures enacted during the last session of Congress may be named the Original-Package Bill, giving to each State the right to control and regulate the liquor traffic within its borders; the Meat-Inspection Bill, which is to protect the meat of the country exported into other countries, and secure hereafter honorable treatment of the meat products of this country seeking a market abroad, and which, it is hoped and believed, will prevent discriminations that have been altogether too common; the provision for a World's Fair in Chicago in 1893 to celebrate the four hundredth anniversary of the discovery of America; the bill giving to the agricultural colleges of the several States an annual appropriation for the better education of the people of those States in agriculture and mechanics; and the provisions (in the Naval Appropriation Bill) to add to the new navy three line-of-battle ships, one protected cruiser, one torpedo cruiser, and one torpedo boat.

Nor has the House been unmindful of the rights of the Republican Representatives in the South who were deprived of their certificates of election, these being given to their Democratic opponents. The Republican House has given the seats to those who were fairly elected, and thus vindicated the majesty of the majority and the sovereignty of the Constitution; and put the seal of

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its condemnation upon the practice, altogether too general, of tampering with popular elections and polluting the fountains of public authority.

WILLIAM MCKINLEY, JR.

MR. LODGE:

THAT this Congress, in its first session, has done many things and has been remarkably effective in the way of legislation is obvious not only from the statute-book, but from the assaults that have been made upon the present House by the enemies of the party in control. There is an old proverb that no one throws stones at trees that bear no fruit, and the quantity of such missiles flung at the Republican Speaker and the Republican majority shows that the fruits of their labors have been very important, and not a little disquieting to their opponents. A mere list of laws enacted is dry reading, and yet the list of important public measures passed by the Fifty-first Congress in its first session will consume the space allotted to me here for a a review of its work. As the members of the House are the only persons before the country for reëlection, I shall confine myself to the work done in that body.

We have passed a Silver Bill which, whatever its defects, leaves the currency which it enlarges on a safer basis than it was under the old law, and which maintains the two metals and the paper currency at an equal value in circulation.

We have passed a Pension Bill which is, like most great measures, a compromise between the extreme demands of certain sections of the country in regard to pension legislation and the equally extreme refusals of certain other sections of the country to do anything at all for the soldiers of the war. The bill is designed to care for all honorably-discharged soldiers suffering from any disability, whether incurred in line of duty or out, and it is estimated that it will cost in the neighborhood of $40,000,000.

We have taken a step toward securing pure food staples by the passage of the Conger Lard Bill, which also protects the agricultural interests from a competition that is unfair, because it works under a false name, while through the Meat-Inspection Bill we have sought to prevent unjust discrimination against American animal food-products abroad.

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We have passed a bill to prevent the formation of trusts or combinations intended to raise artificially the prices of commodities in general use.

We have passed a bill shutting out the Louisiana Lottery in all forms from the United States mails, thus destroying an evil which has of late years assumed monstrous proportions.

We have passed what is known as the Original-Package Bill, which restores to the States the power to deal with the sale of intoxicating liquors just as they please—a power which had been taken from them by the recent well-known decision of the Supreme Court.

We have increased the appropriations for the Civil-Service Commission, which is the most important measure possible to secure the extension and enforcement of the Civil-Service Law.

We have increased the appropriations for the fortifications of our coasts and harbors, thus beginning, at least, to remedy a neglect which had become a disgrace, as well as a peril, to the country. In the same line of national defence we have increased the naval appropriations, so that the work of building up the navy is not only continued, but the construction has been begun of ships powerful enough in speed, battery, and defensive armor to meet any in the world.

We have passed a Bankruptcy Bill which has been for many years demanded, and demanded in vain, by the business interests of the country.

We have passed a bill for the relief of the Supreme Court, which has been demanded for twelve years, and which will remove the reproach of delays of justice that now justly attaches to the trial of causes in the courts of the United States.

We have passed three important labor measures which have been demanded for some years past by the great labor organizations of the country.

We have also kept our pledge to revise the tariff and reduce the surplus. For the second time in seven years the Republican party has performed the great legislative feat of revising the tariff, and at the same time that it has adjusted duties it has reduced the surplus revenues between $60,000,000 and $70,000,000, taking the bulk of the reduction from sugar, which enters into the consumption of every household as a chief necessary of life.

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Lastly, we have kept the most important pledge made by the Republican party to the people by the passage of an Election Bill designed to protect every constitutional voter in his right to vote.

Any one who will take the trouble to compare this record with the legislation of the last twenty years will find that it exceeds in practical importance, and in meeting the demands of the country, not only anything that has been done by a single Congress, but the net result of all the Congresses which have come and gone during that period.

The most important work that we have accomplished, however, lies in the answer to the natural question, How is it that we have been able to do so much? The situation which confronted the Republican party when Congress assembled last December was, not what laws it should pass, but whether it should legislate at all. We determined that the majority should rule in the House of Representatives, because we believed that such was the plain intent of the Constitution and the most unquestioned doctrine of American institutions. Under the leadership of Mr. Reed, without whose courage, ability, and force of will the task would have been impossible, we succeeded. We destroyed a system where one man's voice could put a stop to legislation, and restored that in which the duly-elected representatives of the people could do the public business. This has been the greatest work of the Fifty-first Congress, and it is the work of the Republican majority and of the Republican Speaker. It makes an epoch in our legislative history which cannot be effaced, and marks a forward movement in the practice of free representative government which cannot be checked or put back either by misrepresentation or direct resistance.

HENRY CABOT LODGE.

MR. DALZELL:

WHAT has the House done during the first session of the Fifty-first Congress?

It has done more in the way of practical and far-reaching legislation than any of its predecessors since the days of reconstruction. Its measures will be found to relate to the most vital interests of the people, both material and moral.

Its greatest work, and that which will make it forever con-

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spicuous in the history of American Congresses, is the revolution it accomplished in parliamentary practice.

Boldly ignoring senseless precedents, in the interest of business methods it put common-sense above form, and vindicated its character as a body truly representative of a practical people.

In every House preceding this the "quorum to do business," which the Constitution defines as a "majority of the members," has been held to be a majority as disclosed by a yea-and-nay vote. Theoretically, therefore, members who did not respond to a roll-call were not present, and a minority, by silence, could block legislation. The absurdity of such a theory is now manifest. It involves the right of members to do by neglect, what they cannot do by performance, of duty. It means a government of the minority instead of a government of the majority. A member may be present to call "no quorum," but must be regarded as absent when a quorum is to be counted. This monumental absurdity the present House abolished by saying that actual presence and constructive absence were as much a parliamentary as a physical impossibility, and by establishing the rule that a member present within view of the Speaker and clerk is present for the purpose for which his constituents sent him to the House, viz., to do business, and must be counted to make a quorum. Almost a hundred years ago, Hatsell, an English parliamentarian, said, in his book on "Precedents": "All the reason for forms is custom, and the law of forms is practice. Reason is quite out of doors." The present House has brought reason within doors. It may be conceded that the action was revolutionary, but it is no less admirable for that reason: it is by revolutions that the world advances.

The present House recognized the truth that no more important question can be presented to any popular representative body than that which relates to its own integrity. There were seventeen contestants for seats in the Fifty-first Congress, and eighteen seats contested. The eighteenth contestant had been murdered while prosecuting his contest. The House, after thorough investigation, declared the murdered man's seat vacant, and, in addition, decided, some in one way and some in another, all its other contested-election cases, with two exceptions. No other Congress has ever, within the same time, accomplished so much in the direction of making its actual membership conform to the popular will as expressed at the polls.

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Having organized itself after business methods, the House proceeded to business legislation. Parliamentary practice having been adopted which enabled the majority to rule, the majority thereupon assumed the responsibility of ruling. What the House has done may be described in a sentence by saying it has put into the shape of law, so far as its power goes, the pledges of the Republican platform upon the faith of which the majority of the House was elected.

It has passed a law intended to secure pure elections. The prevalent abuses whereby the voter is intimidated and the ballot not counted or fraudulently counted, which are absolutely inconsistent with republican government, demand such law. The law passed is an extension of the supervisory system now in force. It is not, properly speaking, even a Federal Election Law, much less a "Force Bill," as it has been denominated. To so call it is a proof either of blind partisanship, stupidity, or ignorance. An impartial reading of its provisions will show it harmless to the honest. In common with all law, it is a terror only to evil-doers.

Having sought to make elections pure, the House addressed itself to the business interests of the people. For many years the banner cry of all parties has been tariff revision. Yet Congress after Congress has come and gone without results in this direction. The present House has passed the Administrative Bill in the interest of honest, as against unscrupulous, importers, and to secure, as far as may be, fair valuations upon imports. It has enacted the McKinley Tariff Bill, whereby the revenues will be reduced, American labor and manufactures fostered and protected, and the farmer made secure in the home market.

It has passed a wise Silver Bill, restoring silver to its monetary place, and making reasonably sure, under the operation of well-known laws, an equality in value between this metal and gold.

It has responded to the demands of the commercial interests of the country and passed the most perfect Bankruptcy Bill ever drafted, making provision for the equitable division of the insolvent estates of the living, as such provision already exists for the like estates of the dead.

It has passed an act to add to our Federal courts, to increase the number of our Federal judges, so as to avoid delays in litigation and bring justice within easy reach and to every man's door.

Passing from interests purely of a business character, the

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House has taken care of the interests of labor. The law relating to the importation by contract of labor from abroad has been perfected and strengthened. The government has been prohibited by law from becoming the purchaser of the products of convict labor. Eight hours have been beneficently declared a day's work for government employees.

The House has written "false" upon the well-worn assertion that republics are ungrateful. The most liberal Pension Law that ever was passed by any people was passed at the first session of the Fifty-first Congress. By it there will be distributed amongst the veterans whose services saved the Union, and the orphans, widows, and dependents of such, an annual sum greater than that which serves to keep on foot the splendid army of imperial Germany or that of France.

Looking westward to the thrift and enterprise, the wealth and prosperity, of the once pioneer, but now established, communities, the House welcomed two new States beneath the folds of the national flag and added two new stars to its field of blue.

These measures, covering parliamentary methods, pure elections, business interests, the welfare of the soldier and of labor, and the additions to our statehood, have been passed by the House, in addition to the regular appropriation bills and a multitude of other measures—many of great importance—too numerous even to catalogue.

JOHN DALZELL.

MR. FITCH:

THE session of Congress which has just closed has had two features which will make its history interesting hereafter. One of these is the appearance of a new leader in the Republican party, and the other is the adoption by that party of a new policy on the tariff.

The new leader is Thomas B. Reed. It is not possible to speak of the action of the lower house of Congress without discussing him, for the reason that the history of the House at this session is simply the record of the movements of his mind and will from December, 1889, to September, 1890. Whether his rulings and the new rules which he made for the House are jus-

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tified by precedent or by necessity has been fully discussed in THE NORTH AMERICAN REVIEW, and cannot at once be decided by any tribunal whose verdict will be generally accepted. But whether he is right or wrong, the situation is equally strange and interesting.

If he is right and is sustained in the future, parliamentary life and action have taken a new phase in this country. The Speaker of the House has become the second person of importance in our government. It is not altogether a question of whether the majority of the House shall govern. In this House the Speaker has governed the majority as well as the minority. It is well known that the Tariff Bill which carries the name of Mr. McKinley would have been altered in many of its schedules if Republicans who desired changes could have had recognition and the right to speak and vote free from the fear of the displeasure of a Speaker who could and would deal out in all legislation favors to the friendly and defeat to the rebellious. What may we fairly expect if at some time these new powers are found in the hands of some man as able and as unhesitating as he, but as fond, for instance, of money as he is of power and partisan advantage?

If he is wrong, the situation is even more startling. His is not the case of a party leader carrying out the wishes of his party. Instead of carrying out a policy, he has made one He is independent of the Republican President, for whom he has no liking, if he has any respect. He is in open opposition to the Republican Secretary of State, so lately the unquestioned leader of his party. He has only open contempt and derision for the Republican Senate, which he says is made up of grandmothers, and which he sneers at as a "deliberative body." He brooks no interference from his fellow-Republicans in the House. He does not even allow them to defend his action when it is attacked. From his place in the chair he answers argument with argument, and uses as freely his favorite weapons of wit and satire against his opponents as when he stood on the floor, the leader of a minority. His party in the House is only used as an audience to witness the fight between Democrats and the Speaker, and is only expected to applaud at the proper moment. I am not one of those who question at all his honesty or his sincerity. These are the very qualities which make him dangerous. He is clearly in earnest all the time. His belief

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in himself and in the correctness of all his views never is shaken. Lowell described him when he wrote :

> "He couldn't see but just one side;
> If his, 'twas God's, and that was plenty."

The most remarkable thing that Congress has done at this session is to submit on both sides to such a ruler.

The second striking feature of this session is the new tariff policy adopted by Mr. Reed and his party, and embodied in the McKinley Bill. I say the new policy because it appears to me to be plain that a large increase of protective duties, covering almost every line of business, and the granting of bounties in place of protection, were never announced as a part of the Republican doctrine. To say nothing of the many Republicans who believed, with Garfield, that the old tariff needed revision in the direction of lower duties, the general party creed, as expressed in its platforms and explained by its orators and newspapers, was the defence and maintenance of the old tariff against the attacks of the tariff reformers. It was on this question that the vote was taken by which the present Congress was elected in 1888. An examination of the speeches in the House on the Mills Bill shows this to be true. Such a change as has been made was never announced as even a probable result of a Republican victory.

What Republican orator on the stump foretold the intention of the party to raise the duties on almost every article of use or ornament in the house, of clothing for the family, or food for the table ? What Republican candidate for Congress announced that, if he were elected, he proposed to vote to allow certain manufacturers to arrange for themselves, in the room of the Committee on Ways and Means, the prices at which they would allow the consumers of this country to buy their goods ? What party organ announced that the Republican party, if it came into power, would disturb the finances and business of the whole country by a new tariff agitation, start by this means immense importations of dutiable goods and give them time to arrive and accumulate, and end by substituting "McKinley prices" for those to which the business world had for years adjusted itself ? As to the scheme of a bounty on sugar this is is equally true. Mr. McKenna, of California, a Republican member of this House and of the Committee on Ways and Means, says in his report on the McKinley Bill :

> "A bounty is as useless as it is burdensome, and as odious as it is useless. It is

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not Republican. It has no justification in either the practice, the principles, or the professions of the Republican party."

The issues raised by the new leadership and the new policy of the Republican party will be welcomed by its opponents.

ASHBEL P. FITCH.

MR. McADOO:

LEAVING out the Tariff Bill, the first session of the Fifty-first Congress is notable as much for the important measures that failed of passage as for those which became laws. The following important bills failed to pass both, or, in some cases, either, branch of Congress: the bill to control Federal elections; the amendment to the Alien Contract-Labor Law; the bill forbidding convict labor directly or indirectly on government works; the Copyright Bill; the uniform Bankruptcy Law; the bill relieving the Supreme Court by the creation of intermediary courts; the bill to revive American shipping by subsidies; the Compound-Lard Bill; the Pure-Food Bill; the Government Postal-Telegraph Bill; the proposition to reduce postage; bills to admit Arizona and New Mexico to statehood; the Service Pension Bill; the bill to transfer the revenue-marine service to the Navy Department; the Blair Education Bill; and the bill regarding the French spoliation claims.

From the stand-point of the opposition, the vital measures passed are considered, justly, I think, as dangerous and unjust, and are not based so much on fixed principles as intended to repay party obligations and continue party supremacy. Taken as a whole, they are unconcealed class legislation. They owe their passage in the popular branch of Congress to the dominant, and, indeed, regnant, personality and determination of the Speaker, Mr. Thomas B. Reed.

To understand them intelligently in their spirit and intent, it is necessary to briefly consider the force or forces in the House, where the great measures must originate. The Speaker, readily assuming responsibility for all legislation, did not hesitate to cast his party and personality into the contest for any measure that he desired to succeed, and thus, under the intense pressure of the one and the forceful and imperturbable presence of the other, to coerce the weak and wavering of his own party, and challenge within the same the fears and ambitions of those who might

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otherwise be his rivals and opponents. Acquiring complete control of his own party in the House, cemented to him as partisans through the strenuous opposition begotten in the minority by his actions, he determined to redeem to the full the pledges given to the powerful interests, classes, and individuals who had joined in defeating the former administration. A key to the true meaning and intent of the vital measures of the session may be found in his favorite watchwords, "business" and "results," which in this light may be interpreted to mean that all roads are right ones that lead to party success, and that, in reaching the goal, there is no ground, however sacred, that may not be trespassed upon, and no obstacle, however venerable or just, that may not be demolished; not even excepting, as his critics insist, the Decalogue and the Constitution of the United States.

The change of rules, affecting all interests, may first be considered among the really important matters of the session. The amended rules aim to stifle discussion, give unusual powers to the Speaker, and transfer the control of legislation from the House to the committees. They are more restrictive of the rights of the individual member than the celebrated closure adopted some years ago, after many months of discussion, in the English House of Commons. These rules superimpose upon the powerfully restrictive "previous question" the right of the Speaker to declare a motion dilatory and to refuse to entertain the same, despite the protest of any number of members; confer on him the right to count as voting, so as to obtain a quorum, a member present and silent, even if incapacitated; do away with the public introduction of bills and resolutions, and leave their proper committal to the Speaker. Under this drastic code the Speaker called "business" as the referee at pugilistic encounters calls "time," and the contest began. Briefly, here are a few of its more important results.

Seventeen thousand bills were introduced in this Congress; most of these, as was so aptly said by the late Samuel J. Randall, reach out to the public treasury. Out of this mass there go to the statute-book two laws relating to the tariff—the Administrative Bill and the Tariff Bill proper. The Administrative Bill, by indirection, raises the duty on some articles at least 5 per cent., on the most conservative calculations; in some instances, it is contended, the advance is as high as 15 per cent. It does

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away with trial by jury in contested customs cases, and leaves the decision to a newly-constituted Board of Appraisers. It frowns upon importations, and makes the importer akin to the smuggler. The Tariff Bill proper is the most ultra-protection law ever enacted in the history of nations, and, is in effect, a declaration of commercial war against the whole outside world. In my opinion, it will raise, in a marked degree, the cost of everything, except labor, and in the fierce, retaliatory, international war which it invites the American farmer will be the chief sufferer. Behind its towering prohibitory walls foreign products may scarcely come, but their alien makers are free to enter, and underbid the labor which the law pretends to protect. It is illogical, as well as unjust, when it does not extend the present Chinese-Exclusion Act to all mankind. By the results of this law the present Congress becomes either famous or infamous.

To make sure that this law shall not be repealed for some time to come, the Senate, the body most removed from popular elections, has had its membership increased by the creation of new States for purely partisan purposes. Idaho and Wyoming are admitted without sufficient population and with scarcely a pretence of fairness. Arizona and New Mexico are kept out, although possessing large populations, because they are not sure for the party in power. Idaho has 60,589 population, as against 153,076 in New Mexico. It can nullify the vote of New York in the Senate, and has about one-fifth the population of some Congress districts in that State and New Jersey. This, in the language of Mr. Speaker Reed, is "business."

The Silver Bill was passed to modify by a mild increase of money the effects of the new Tariff Law, but mainly as a party necessity to appease the silver-producing States for their support in the Senate and at the polls. The proposition to warehouse silver bullion begot the demand of the Farmers' Alliance for the paternalistic, government pawnshop, called by them the "sub-treasury plan." If silver bullion, why not corn and pork ?

One of the most important measures passed was the so-called Land-Grant-Forfeiture Bill. This bill ends a shameful and pathetic chapter in our history. It forfeits, out of a possible 70,000,000 acres, 6,000,000 acres, a small portion of which is unoccupied and arable. It settles with the land-grant railroads on

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their own terms. The vast public domain, with its splendid possibilities, is fast disappearing, and the last acre of the people's land will soon be gone forever. The Senate, more subservient even than the House, refused to leave open the contest for those lands not earned in the time stated in the original grants.

The Pension Bill is simply intended to get and hold the soldier vote at public expense, and, if followed by similar legislation, must beget an income or other additional tax.

Among other measures are the Original-Package Bill, passed to please Republican Prohibitionists, which gives power that must belong either to Congress or the States, to be exercised by the possessor, from one to the other; meat-inspection bills intended to delude the farmer into believing that we can make Europe, incensed at our tariffs, buy his food-products; the compromise measure opening the arid lands to speculators and water companies who will take advantage of the government surveys to control the springs, thus furthering monopoly and land-robbery, and all hastening the scourge of Europe—the landlord; the most expensive and vicious of all river-and-harbor bills, which, in addition to the usual attempts to make navigable streams out of creeks that are roaring torrents in spring and scarcely damp places in summer, contains a provision to build the Hennepin Canal in Illinois at an expense of millions, part of which will be paid by citizens of New York, whose taxes constructed, now manage, repair, and make free the Erie Canal. A true "business" Congress would abolish the present system and appropriate a lump sum to be expended by a board properly constituted, of which the Secretary of War should be a member. There were also many bills for public buildings, necessary and unnecessary, and in nearly all cases unduly expensive; a "business" Congress looking for good "results" would also appropriate a lump sum in this matter.

On the whole, the expenditures are increased by about $52,000,000, as compared with first session of the Fiftieth Congress. The total expenditures are estimated in round numbers at $461,000,000, which will cause a deficit before the end of the fiscal year, unless the receipts exceed the estimates. This vast sum, however, does not tell the full truth. Many works, such as the new ships for the navy; indefinite and permanent appropriations, under a new and vicious system inaugurated in this Congress, intended to pay rebates allowed

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in contested customs decisions and in contingent pension cases, and extended also by the House to the cost of operating the vast machinery of the Federal Elections Bill; numerous public buildings ordered built, but not immediately provided for,—all these make it difficult to state the exact cost of the government for the present fiscal year. This avoidance of appropriations for public works ordered, so as to reduce the aggregate of the annual budget, before the Congress elections, will unprecedently swell the next batch of deficiency bills.

As to the merits of the bills that failed, as against those that passed, the reader must make his choice; but the majority, I think, will agree in deploring the disgraceful defeat of the Copyright Law. One "vital measure" in the line of "business" was the turning out of nine Representatives duly declared elected, and the placing in their seats of contestants in affiliation with the majority; and in the mean time the Force Bill, behind which is seen the gleam of government steel, and which revives the hates and horrors of reconstruction, awaits resurrection in the Senate next December.

When Mr. Reed first seized the official gavel, there were able and conservative leaders in his own party who thought they could go with revolution as far as they pleased, and then check it; when Mr. Reed hit his splintered and long-suffering desk for the last time this session, history had repeated itself: the Republican party Jacobins had absorbed or driven from the field the temporizing Girondins.

WILLIAM MCADOO.

MR. CLEMENTS:

THE first session of the Fifty-first Congress was the longest but one, and the most extravagant in expenditures, ever convened. The appropriations which it made, including indefinite sums estimated at $2,000,000, aggregate in round numbers $465,500,000, being $15,000,000 in excess of the estimated revenues, and more than $70,000,000 in excess of the appropriations made during the preceding session. That this enormous increase of $70,000,000 in the draft upon the people for public expenditures is extravagant and unwarrantable is conclusively shown by the citation of a few of the many items that go to make it up.

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The sum of $1,200,000 is appropriated for the establishment of a public park and pleasure-ground in the fashionable suburbs of Washington city. Nearly, if not more than, 1,300 new offices were specifically created, with salaries aggregating about $1,500,000, and certain general appropriations, used wholly in the securing of personal services in the discretion of executive officers, were increased $1,347,100. Among the former are three assistant secretaries at $4,500 each, one each for the War, Navy, and Treasury departments. The first two cannot be justified in this time of profound peace and in connection with an army and navy that have not been increased in numerical strength in sixteen years. If there ever existed any necessity for the last, it was relieved by the passage of the act creating nine general appraisers of customs, with a salary of $7,000 each, to whom was transferred the greater part of the principal labors theretofore incumbent upon the head of the Treasury Department and his two assistants. The large and extravagantly-paid force of officials connected with the Senate was also increased thirty-seven in number, presumably in part to maintain the increasing dignity of that body because of the advent of four Senators from the new States of Idaho and Wyoming, admitted by this Congress, with an aggregate combined population of less than 145,000.

The salaries of about 1,100 existing officers were increased in the aggregate more than $132,000. Among others, the salary of the head of the Land Office is increased 25 per cent. over what had been acceptable to his distinguished predecessors. In the Patent Office thirty of the highest-salaried officials participate in the general raid upon the treasury. These increases have been made in the face of the facts elicited before the Committee on Appropriations, and presented to the House, showing that from 10 to 25 per cent. of the employees in the departmental service at Washington are below a fair standard of efficiency.

Pension legislation was enacted that will, according to conservative estimates, swell pension expenditures to probably $150,000,000 and possibly $200,000,000 per annum—a sum far greater than is annually expended by any of the great powers of Europe in maintaining their military and naval establishments and for paying pensions. Comparatively but a pittance of this enormous sum, raised by taxation upon all of the people and by a system purposely made burdensome upon the South, goes for

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payment to or expenditure among the people of that section. Had it been the avowed intention of the Republican party to exact a war indemnity of the South, as did Germany of France, their object had already been more than accomplished. Yet the legislation had during the past session, which practically gives a service pension to the survivors of the Union army, in effect continues in increasing ratio the exaction of an indemnity from that section of our common country which was laid waste by the results of the war and despoiled by the carpet-bag governments of the Republican party for a decade after open hostilities had ceased. Such legislation, draining the resources of one section and giving in lavish bounty to the citizens of another section, for no disability or injury received in a service of their country which they claim to have rendered from high and patriotic considerations alone, will, so long as it continues, effectually prevent anything like universal or equal prosperity among the people of the country. Such a condition logically deters immigration to the South and the development of its natural resources by men who seek new fields for the use of their capital.

A nominal, but utterly impotent, Anti-Trust Law has been given to the people, while to the trusts and monopolies has been given a practical, effective system of enforcing their merciless exactions from the people on many of the prime necessaries of living by prohibitory taxes on imports.

The Tariff Act passed at the late session is not only excessively high in its rates, but it is a masterpiece of iniquitous sectional discriminations. A striking example of this feature is its disposition of the duties on cotton-ties, used by the farmers of the South, and binding-twine, used mostly by the farmers of the Northwest. The duty on the former is raised from 35 per cent. to 125, while on the latter it is reduced from $2\frac{1}{2}$ cents a pound to $\frac{7}{10}$ of one cent. The demands of the manufacturers of ties were overwhelming against the overburdened farmer of the South, but the appeals of the manufacturers of binding-twine were unavailing against the farmer of the Northwest.

The duty on cotton bagging has also been increased.

The limits of this paper will not allow an enumeration of the many other instances of like injustice abounding in this thoroughly bad law. Its sectional discriminations are only equalled by the provisions of the so-called Compound-Lard Bill, which

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passed the House. Unmasked, this bill is solely designed to make the hog industry of the Northwest more profitable by destroying the cotton-seed-oil industry of the South. A more indefensible perversion of the taxing power could scarcely be proposed by the ingenuity and avarice of man.

For unseemly thrusts and controversies between the Chair and the members in their places, and between members on the floor, and the general exhibition of ill-nature, the session has been unprecedented. A conspicuous illustration of this was given by Republican members during the debate on the bill last named, when coarse vulgarity, vile epithets, and even physical blows were resorted to among themselves. To some of the new rules, the spirit and manner of their application and enforcement, this deplorable condition was largely due. These rules have vastly augmented the arbitrary power of the Speaker and given to the majority of the Committee on Rules, of which he is chairman, the control of the conduct of the business of the House. The representative power of the member has been correspondingly minified.

J. C. CLEMENTS.

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SCOTTISH POLITICS.

BY THE RIGHT HON. THE MARQUIS OF LORNE.

NOT very long ago the late Duke of Buccleuch saw a claymore in the shop of a Paris dealer in arms, and, entering, examined the weapon, asked the price, and purchased it. With the Italian "basket" hilt, and straight blade with double groove running nearly to the point, this was the sword adopted by the Highlanders, and purchased by them in considerable numbers, while at home they also manufactured them. The "Andrea Ferrara" blade which had caught the Duke's eye was a fine specimen of the old master's workmanship. But there was a special reason which led the purchaser to buy it at sight. Engraved on its steel was the name of "Strathalan," and the motto "Scotland for Ever. No Union." It had belonged to the nobleman whose title it bore, and whose hand had grown stiff in death while it gripped its hilt on "Drummossie fatal muir," the battlefield of Culloden. Whether taken by the victorious Hanoverian troops, or brought away from the scene of carnage by some faithful clansman before the last charge of the Highlanders had failed before the fire of the grenadiers and of the Campbells who had enfiladed the Jacobites' position from the shelter of a neighboring park wall, will never be accurately known. But Strathalan's sword was returned to the head of the family by the Duke.

That family, in the generation succeeding to that which had perished in the Civil War fighting for "No Union," saw its members conducting one of the richest private banks in the great metropolis of London, a capital with which their fathers had wished to have as little communion, and as little knowledge of it, as possible. The sons had more English gold in their coffers than there were drops of blood in the bodies of the Clan Drummond who bled at Culloden. The fathers had loved their Stuart king and Catholic faith not wisely but too well. The next generation found that the fathers' political sins are not always visited upon the children,

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and Drummond Bank, in Charing Cross, stands to-day a curious and instructive commentary on that cry of old Scottish patriotism, "Scotland for Ever. No Union."

Monarchs may look with a natural approval on that fidelity to the sacred right of hereditary sovereignty which led the Jacobite to fight and lose life and fortune to uphold the succession to the crown of the last of the men of the Stuart royal race. The "Wee German Lairdie," the Hanoverian ruler, was only descended from a daughter of that old Scottish house, and the Revolution of 1688 had taught men in Britain to look to the bent of their kings' characters quite as much as to their blood. Descent might be of value in gaining the votes of those who laid store on such matters, but decency in regarding the liberties of the subject was of far more value, and had come to determine the tenure of the crown in our islands. But whether monarchs may approve of the blind fidelity to "loyalty" that led to the wars of 1715 and 1745 or not, all men must admire the chivalrous self-sacrifice with which the Jacobites flung themselves into the unequal fray.

It is true that the Catholics of the North of England had promised to take up the Stuart cause, and were said to be ready with many in the border counties to join the Highland host. But how small was that host! How badly armed and disciplined, and how ill equipped with money or any resource beyond its own fierce enthusiasm! There was not even a single battery of artillery, and it was with only a troop of cavalry and ten to eleven thousand ragged infantry that the champions of the white cockade marched boldly into the great and populous and wealthy England to coerce its teeming midlands and conquer its splendid capital. What marvellous daring and what extraordinary success crowned for a while the hardihood which many of the devoted gentlemen who joined the Prince must have seen to be madness! "Scotland for Ever. No Union." A fatal cry, and doubly fatal when success depended on the adhesion of the English Jacobites, who were, indeed, numerous enough in many a county to set alight vain hopes and fiery longings yet to be read in the beautiful stanzas of the Scottish poetry, and heard in the songs of which the defeated party has almost a monopoly.

But there was not only fidelity to a fallen king shown forth in the great risings in the north. There was also the passionate assertion of that independence which had made the Scottish nation re-

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gard England as the "Auld Enemy" until Scotland's own statesmen led her to embrace the ancient foe, and under Scotland's own king to commence an alliance which was intended to heal all old wounds by the indissoluble welding of hitherto separated interests into one commonwealth, to the equal profit and advantage of both peoples. One nation should henceforth cleave the seas of circumstance, and that nation should be called the British. To all the outer world, to every foreigner, the two should be indivisible. At home each was to keep its own laws and usages, and no man could uproot the glorious history of either.

The gain was undoubtedly chiefly for the weaker and the poorer people. Yet this was not acknowledged by many, and was, indeed, seen by few. In Edinburgh, especially, where the departure of the court and the people it brought was justly dreaded as the taking-away of profitable business, the mob was in arms. It could not have been foreseen by those who watched the preparations for departure made by all the wealthiest and the foremost men among the Scots that within the lifetime of their own grandchildren that old Edinburgh, in whose narrow streets and close "wynds" the Anti-Unionists shouted and swore, would be but a picturesque corner in a city greater than any that existed in their day, with the sole exception of London. They saw only, as Lord Belhaven pathetically said in the Parliament House, that it "was the end of an old song." They could not know that it was the prelude to such a burst of glorious harmony as would fill the world with the triumphal notes of hymns of victory that have followed Britain's march over regions wider than even a Scot had ever travelled. They had felt the power of England's enmity. Their commerce had been hindered, their influence withered, under the influence of her jealousy. They could not believe the enemy of their fathers would be the helpmate of their children.

And thus when "the Bonny Prince" called to them to maintain his rights, they hesitated not, but joined him, and when they saw how hopeless was his cause, they did not falter. Not a man forsook him. That grand loyalty would not permit any Highlander, however wretched, to betray the Prince after his defeat, when a word or a gesture would have put £25,000 into the poor man's pocket, and have consigned the "Pretender" to prison. So when affairs were darkest, and the chief and the gentlemen

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around him knew that their heads and lands would pay the forfeit, the only cry was "onward" and "attack." For the Holy Church, for their scarcely less holy King, into the jaws of death, into the scenes of contumely, with the scaffold and the headsman in the foreground, they marched, glad to give their all and the hopes of their sons for the cause of the Prince. It was a noble devotion, condemn it as we may as a mistake, and it was fed by the remembrance of their ancient independent nationality. It was "Home Rule" with a cause, and a creed, and a history to justify it. They had the knowledge of the glory they had acquired in separation. They had not the wisdom to anticipate the good of the union. They saw only the merging of the old and known into something strange and untried. We, looking back with after-knowledge, must not blame them who could not call expansion patriotism.

It has taken nearly two centuries to make the truth very clear; and even now there is among a few an attempt to deny it, and to declare that the spirit of Scotch nationality would be purer and better without being tied to the clay of the British body. Education itself helps to keep this feeling alive. Just as every boy in the United States hates England when he reads at school of the American War of Independence, and considers Bunker Hill as an undoubted victory, so every urchin in Scotland revels in visions of the heroic feats of Wallace and Bruce, and of the day when the dead Douglas won the fight at Chevy Chase, and thinks how he, too, would enjoy such days, and how easy it would be to "whip" 120,000 English with 30,000 Scots, as did the good King Robert on that morning under the hill of Stirling in 1314. And he knows that from those far-away times onward to those of which he may have heard his great-grandfather speak there were fights between Scotch armies and English armies, in which the Southron did not come off best without Scotch help, and he very rightly thinks that he could fight three Englishmen at least. That old border line was made good against the wealthier nation for a thousand years, and it could again be held if necessary. So his pride swells, and he, at all events, is not among those against whom Walter Scott wrote:

"Breathes there a man with soul so dead,
Who never to himself hath said,
'This is my own, my native land'?"

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Is it necessary to hold that border line? Some people think nowadays that they will emulate Bruce and Wallace, and because they can't get all they want in agrarian disputes and social equality, and this and that in local wrangles, the work of the eighteenth century is to be revised and the great union is to be debased and annulled for the elevation of their little selves.

One of the most intensely "national" of Scots, and one of Scotland's best writers,—a local man to the bone, and ready to hate all that was antagonistic to what is noble in a national and race spirit,—wrote thus after he had paced for the first time the transept of Westminster Abbey. He had not visited England until middle life, and his book on his "First Impressions of England and Her People" is one that can be read by all at any time with pleasure and instruction. His eye was as keen to note the characteristics of the men around him as it was to examine his own tendencies, and he would have despised himself if he had taken color from mere surroundings. But he was proud to color his own mind with the illumination of others, and the fuller light with which his was filled came because he did not hedge himself round with the walls of narrowness and isolation. He saw on the tombstones in the Abbey the names of the poets and writers whose words had cheered him at evening after the long hours of his mason's toil, and whose sentiment had been with him by day and by night. Among them he saw his own countryman, Campbell, but he thinks of all the great dust beneath his feet and writes:

"How thoroughly had they served to break down, in my mind at least, the narrower and more illiberal partialities of country, leaving undisturbed, however, all that was worthy of being cherished in my attachment to poor old Scotland. I learned to deem the English poet not less my countryman than the Scot, if I but felt the true human heart beating in his bosom."

"The narrower and more illiberal partialities of country," as opposed to the pride in a great nationality to which we may ourselves belong through the patriotism of our forefathers—this is the distinction which over and over again must be made and enforced on those who would degrade patriotism into a mere provincial peacocking. If the superficial study of history inclines the boy to be patriotic in the narrower and less worthy sense, its continued study will make the man consider himself the more fortunate the larger and more cohesive is that flag which symbolizes a country able not only to look back on the feats that wove

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together its different tribes, but proud of the genius that formed the races into a political power. That power need seek no enhancement of reputation in the remembrance of the struggles between its own sections in the past, but relies for its self-respect on its force in the rivalry of nations in the present.

Yet there are a few who would like to see Scotland talk only of her pedigree and of her pipers, of her tartans, her feuds, of clans and churches. The feeling has arisen on account of the multiplicity of work devolving on Parliament, which has sometimes made that assembly slow to get quickly either into or through purely Scottish business. It would be as great folly to take up the false and mischievous position over against England of "a separate national parliament, with an executive proceeding therefrom," as it would be to despise and reject the devolution of powers on local bodies for the purpose of lightening the work of the central Parliament at Westminster. A step in the right direction has recently been made in the constitution of county councils elected on a wide franchise. This may yet be further developed.

But what many of those who clamor loudest for a revived Scottish parliament want is to effect changes in the tenure of property and interference with the obligation of contract which would not be tolerated in America. The Imperial Parliament has done some things which encourage these gentlemen to hope that the transfer of property from one individual to another, or of goods from one class to another, may not be wholly impracticable even with an Imperial Parliament governing the realms. With a purely national or home-rule parliament, representing in one chamber the majority of Scotland alone, they fancy that it would be easy to take, for instance, property in land from one class and give it to another. It was said long ago that the British, slow as they are, have proved themselves to be often capable of being filled with a greater amount of enthusiasm for an idea than other nations. Just as in London, if a man appears who has filled the newspapers with accounts of his travels, his fights, or his adventures of any kind, he becomes the "lion" of the season, and is petted and spoiled by "society," so does the British public sometimes in its Parliament awake to a fit of enthusiasm to pet some special trade or class.

It was so with the so-called "Crofters" of late. They were said to be the lost tribes of a kind of Tartan Judah, and their story

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formed a romantic trilogy which began with patriarchal manners, continued through an era of wondrous loyalty to chief and king, and was terminating under the eyes of an indignant but sleepy world in the acts that were disinheriting them of their patrimony and depopulating the land by their enforced exile to the wilds of inhospitable America. Virtue awoke in the breast of the British politician. He was quite aware that this excellent peasantry never possessed any more rights than did the peasantry of England, who used to cultivate the land exactly as the Crofters do; namely, dividing the land like a "crazy" quilt exhibited at an American fair, each man having during one year to tend half a dozen of the different patches apart from each other. During the next year he had to tend other patches, because it was considered in the village right that each should have "turn about." The system was hopeless as regards agriculture, and in all parts of the country, except in the Highlands, where want of communication and Gaelic had made people more content than elsewhere when they starved, the system had given place to another more adapted to get food out of the land for the public at large and enhance the value of the soil. They had no more right than had any other peasants to the plots they occupied. Leases were never granted to them, because they were part of the fighting "outfit of the chief," bound to do his service in peace or war, give his daughters a "tocher" when they married, cart and carry for him; and all this service was in exchange for the safety and protection he was supposed to be able to give to them. Every estate history in the Highlands could point to this absolute rule, tempered only by prudence, and show how the small tenants were ordered out by their chief to attack other tribes, and to be shifted from one set of farms to another, or be arbitrarily dealt with in other ways.

This was history, and it may be very shocking that it was history, and that the clansmen allowed it; but patriarchal sway was absolute, shocking as the fact may be. These people, therefore, had far less right to their farms than had those in England who had been under its common law for ages. But history was made to serve virtue, and, as it is always pleasant to show generosity to the poor, Parliament decreed that any house built by the landowner should on all "crofts" become the property of the landoccupier, and that, further, when any five peasants wanted their

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holdings enlarged, the addition was to be taken from the nearest good farm, at the discretion of a roving party of commissioners, who should act as they thought best on these general principles: (1) that the rent paid for a holding should never be more than the present occupier could easily pay, to the exclusion of any other man; (2) that the owner's improvements should become the tenant's, for the occupier was now to have not only his rent adjusted, but also to have the right to remain forever where he found himself so long as he paid the low rent; (3) he could bequeath his holding as property to his successor. Any arrears of rent were also either cancelled by order of the commission or greatly cut down. American readers will say they guess that was pretty drastic legislation. And so it was. We shall see what are the fruits in a few years. Meanwhile the politicians who desire the Crofters' votes tell them that they must have a present made to them of cattle and sheep to stock the lands they will yet take from the neighboring land-owner to add to their holdings.

Opinions will differ as to whether it was right to fix a "fair rent." It is not done elsewhere, but in the case of the poorest of the peasants I, for one, think it was very defensible. But in regard to the further measures, we shall see whether the strings of the land-owner's purse are not now greatly tightened in subscribing to help the peasant who has been placed in a position which tempts the land-owner to look upon him, not as his friend whom he would like to help, but as his natural enemy, who may conspire with others against him. Most of the railways, the piers, and other public improvements, as well as all the large drainage operations, have hitherto been undertaken by the land-owner, who had a pride in doing them, and a satisfaction in seeing them make his property better and his people happier. The legislation now enacted tends to cut off his sympathy, and, in a wild and barren region where the kindly good-neighborship of the "big man" is of great advantage to the poor, to deprive the peasant of the aid and countenance he has hitherto had. An American may think the peasant is all the better without such patronage. If the land were good, it might be so, but in a wet climate and on bad soil can a man be as independent as he may become on the prairies of Nebraska or Iowa? The query is a painful one to those who know the Highlands, and hear the very different tone which men now assume when they speak of

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laying out their money elsewhere than in places where benevolent legislation confiscates it for the assumed benefit of the tenant, who is accidentally at the moment the recipient of such enforced and temporary bounty. They who have pointed this out are denounced as "depopulators" and "grasping landlords," but time will show whether they or the people's noisy advocates at election times are the true friends of the Crofters.

Every person having a remembrance of Scottish song and story, every well-wisher to the most romantic part of the old country, will desire that as many of the peasantry as can remain with comfort to themselves on the wild shores and healthy glens shall be enabled to do so. The hateful, but ever-necessary and ever-recurring, question, "What will pay best"?—not for the land-owner, but also for the land-occupiers—must, however, be asked. They who have known comfort in the towns or in the better-equipped homesteads of the fertile low country, or in the States, or in the great colonies of Britain, will not be so contented with the old ways which were good enough for their forefathers. In one of the most fertile of the Hebrides, the island of Islay, Pennant, in the middle of the last century, saw the people rushing down to the strand to meet a vessel, for in that ship they saw their only hope of sustaining existence. They were starving, and it was bringing flour. Such scenes were possible in the "good old days." They are not so now, but they would again be possible in the Lewis and in some of the over-populated districts were it not that steamers and charity can bring more certain aid than was possible in the days when Pennant voyaged and truthfully wrote all he heard and saw. To keep the Highlander "on the land" may not always be a kindness to him.

"What is the name of that glen?" asked a tourist of the stage-driver in the Highlands. "The Devil's Glen, ma'am," was the answer, and the ejaculation which followed from the tourist was natural, when she emphatically murmured: "Poor Devil!"

But the land-hunger is sufficient in the Highlands, as in Ireland, to make persons accustomed to the wet climate anxious to live there even on bad land. It is also not only the Crofter who wishes for more soil to squat upon, but others envy even his poor estate. There are numbers greatly in excess of the number of Crofters who demand of him some "rigs" of his land whereon to plant potatoes. There are many who cannot get this. They are

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told by their benevolent friends, the politicians who woo their votes, that they too must have land, and that they must not think of emigrating, for they must get what they can of the bad lands at home rather than in America or Australia. Accordingly the following language is heard. It was used last week in the Lewis, a large Hebridean island, to a former minister of the Crown, who, at present in opposition, hopes to get into power again on some wave of Gladstonian tergiversation. He was told that it was not forgotten by the Crofters that, when, a few years ago, they had taken the law into their own hands with a fair prospect of driving out the cattle of the land-owner and putting their own upon the grazings, the Gladstonian delinquent before them had acquiesced in the sending of an armed force to aid the police, who had been overpowered. They were willing to let these bygones be bygones so soon as they had an assurance that the enforcement of law by the supreme government would not be repeated, but they warned him that they would take up equal arms should the same act be repeated by any government. The burden, they continued, that took away the breath of a Crofter was that he dragged behind him the cotters and squatters. If there was any disorder, they would hold the government responsible. As long as they had thousands upon thousands of landless cotters, the government, in allowing good arable farms to dangle before the eyes of the landless, starving, desperate, hopeless men, were tempting these men to crime.

The ex-minister replied by saying that he wanted all that was good in the ancient state of the Highlands restored, by which he doubtless meant the rapid suspension by the neck of all intrusive politicians. His audience accepted his words as an omen that every landed Crofter would soon have his little farm doubled in size at the expense of his neighbors, and that every squatter and every cotter who has no land should have land granted him by the government, so that he should no longer bother the Crofter; and of course a good grant must be made to all landless men so that they may buy cattle, sheep, and "outfit" to stock any land given to them by a grateful public.

Some Americans may think, on reading these statements, that the persons who make these demands on the goods of their neighbors cannot much care for religion. They would be mistaken. For the moment these people have agreed that the "land ques-

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tion" comes before the church question. But when every man shall have a little farm stocked by the state and granted rent free, then, it is agreed, there must be a great deal of church talk. The form that their interest in church matters assumes is an interest in the refusal of any land-tax that may go with the land that may be given them. Of course they should have the land free of any drawback in the way of payment to anybody. But these demands are the dishonest men's demands. The bulk of the people pay something now for their Free-Church ministers, and the majority are quite willing to pay for the luxury of a little argument on creed and "Erastianism." Most of the clergy who minister to them are subsidized by richer members of their church in the south and east of Scotland, but they do not contribute for their sustenance. The number of adherents the Free Church possesses in the Highlands and islands is remarkable. There is a zone of Roman Catholic country, but the bulk of the western men are Presbyterian, of the division of that church which broke off from the Established State Church in 1843, mainly on the question of the election of the pastors by the congregations. Although "patronage," or the nomination of a clergyman to a parish by a patron, became only a nominal right many years ago, and has now for some time been formally and legally abolished, the Free Church still maintains its separate organization.

The United Presbyterian Church is another large body, detesting to a greater degree than do the adherents of the Free Church all connection between church and state. In matters of general government, organization, ritual, and usage, the three bodies, "Established," "Free," and "United Presbyterian," are precisely alike. There may be a little more architecture in the Established churches, but that is doubtful. There may also among them be a few more organs used during worship, and there may in some instances be more written prayers used and a larger number of hymns sung, where in other services you will only hear the psalms of David sung according to a version made in the seventeenth century by a Welshman named Rouse, who was well inspired in the case of a few of his versions, and prompted by the demon of discord in the majority of his "renderings." But they are all in rhyme, and have attained through association a semi-sacred tenure in many Presbyterian minds, not to be disturbed by any afterthought or experience. Milton's versions are by many considered

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barbarous in comparison with the following specimen by Mr. Rouse :

> "Thus grievéd was my heart in me,
> And me my reins opprest;
> So rude was I and ignorant,
> And in Thy sight a beast."

They all sing this with equal satisfaction. Why should they not join in having one national church "established" in the national reverence and love? You may well ask. Questions are proverbially discreet; the answers seldom. So it is best to decline to answer. To sound the unfathomable is an unprofitable task. The perverseness of human nature gives the best answer.

But there is a strong party anxious to disestablish the state section of the Presbyterians and to disendow the church and apply the funds to education. It is probable they will succeed in severing the connection of the state, but not with the bulk of the church's property. This was of old given for the good of the donor's soul, for the support of the church, and for the education of children, which the Roman Catholic Church undertook almost alone in the middle ages. Since those times the church property has greatly increased by gifts which could not without the grossest impropriety be diverted to other uses than those for which they were designed. In Canada the various religious bodies have not kept up the distinction so tenaciously held in the old country, and the presumption is that in Scotland also union would take place after a time should the connection with the state be dissolved. The "Establishment" has formed "church-defence associations," and one of the most eloquent of her "divines" spoke a few days ago to this effect :

"All that the Scottish Church wanted was this, that they would allow no man to go to Parliament and represent the opinion of Scotland who had pledged himself for disestablishment until it had been put as a fair, clear issue before the Scottish people. This was not a question that had to do with the three Presbyterian churches. It had to do with the great spiritual and moral interests that underlay our churches. It was a religious question affecting our dear land for generations yet to come. Disestablishment meant that the corporate life of the nation would be cut off from all recognition of the Supreme Being as its Ruler, and would become atheistic or agnostic. The act to disestablish the church was, when viewed rightly, an act of disloyalty to God and his Christ. In regard to disendowment, the endowments were the legacies or bequeathments of pious generations gone by for the keeping up of the parish church and the religious objects of the day. They were now being used for the same purpose as for the last 1,000 years. What had the state to do with that? The state never gave these endowments, and the state had no right to alienate them as long as they were used for the religious wel-

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fare of the nation. What would they call an act that would take all the old endowments throughout the length and breadth of Scotland? He would tell them what it was called in the Bible. It was called robbery of God. The Church of Scotland was prepared to share these endowments to-morrow with the Free Church, with the United Presbyterian Church, on the one condition that they were kept for the purposes for which they were given, namely, the worship of God and for his religion. They were told that it was an injustice, an anomaly, but, at the same time, their opponents called endowments a bagatelle. Now it was the defenders of the churches' turn to influence candidates for Parliament. They were to make their voices heard as a national church, and they wanted every M. P. and Mr. Gladstone to know that the voices of the Scottish people were against disestablishment. If they were true to themselves, they would never see the old church down."

After his late manner of examining, inquiring, and of humbly following to alter that which he formerly defended, Mr. Gladstone has declared he is ready to follow any expression of the feeling of Scotland. This feeling will, of course, be measured by votes, and it is significant that at the last election the church showed herself strong enough to make a great deal of reticence prevail among the disestablishers on the question of disestablishment because they wanted first to gain a wide haul of votes for the setting up of a separate national secession parliament in Ireland. This probably means that the "Auld Kirk" position was found to be too strong to be forced, and the difficulty of the attack on her will undoubtedly be augmented if the assaulting party declare they desire to loot the camp as well as drive the defenders from their intrenchments.

To an American jurist the chief interest of British politics at present must lie in watching how soon the tendencies of the new voters will make it necessary for Britain to imitate her American cousins in devising something like the fifth amendment to the Constitution. There is no doubt that private property in the old country is not nearly so safe as it is in the new. We are also probably in Britain advancing towards that which we have hitherto carefully avoided, namely, a written constitution. Whatever powers may be delegated by the Parliament to local assemblies, to provincial or to county representative bodies, must be clearly defined. Hitherto Englishmen have hated exact definitions, and the common-sense of the comparatively few has been allowed to guide and govern the "happy-go-lucky" and "one-bit-at-a-time" method of British political procedure. With sections setting up, as Ireland now does, for a separate national recognition, and with the overcrowded population in England finding it more and more difficult to get food and elbow-room, more attacks

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on property and more impatience of the slow justice of the supreme government are sure to arise. Greater power must be given to localities to settle matters among themselves, and it will be necessary to define clearly and concisely, and in a manner that can leave no doubt, how far the local powers extend. Thus gradually we shall arrive at having a good written constitution, such as has for so long been found of use and necessity in America.

Of other and minor Scottish political affairs it is not necessary to speak, for they can hardly interest any one not dwelling in the land of cakes and caution. It is amusing to see Gladstonian candidates fishing for Irish national votes by telling the numerous fishermen that "free fishing," or no restriction or property in fish, will be recognized; and the American who spends Federal dollars in restocking the depleted waters where salmon used to be and are not, and in filling the waters even of the sea with ova that are to thrive again in the overfished marine banks, will think with satisfaction that soon his salmon will be the only salmon in the market, should such a "generous and liberal" plank be successful in the British reformers' platform. But these things are of little general interest, and will engross the attention of the natural scientist rather than of the philosophical watcher of politics. Scotchmen are probably shrewd enough not to be inoculated to any fatal extent with the periodical Irish small-pox of discontent; and if they think that more people can, with decent comfort, be housed in Scotland, and that they can gain more than they lose by a dislocation of the close union with England, they will effect their wishes, but will not act until they are very sure of the ground on which they venture, for they do not wish to pull their hands out of the full pockets of the Southron, where they have now been handling the "red, red gowd" for considerably over a century.

LORNE.

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THE LADIES OF THE LAST CÆSARS.

BY GAIL HAMILTON.

IN MISERY unspeakable perished Tiberius, the third Emperor of Rome, loving and beloved husband of Vipsania Agrippina, hated and hating husband of Julia; and was succeeded by his grand-nephew, Caius Cæsar Augustus Germanicus. All these noble names history has discarded; he is known to us only by his nickname, Caligula,—Little Boots,—because of the military boots —the *caliga*—wherewithal his military mother shod him in camp to please and flatter the soldiers; as if the President were to be called "Little Brogans," because an ambitious mother in his youth had sought to conciliate the Irish vote by making her boy wear brogans. The sound of his nickname always angered Caligula, but Caligula and nothing else has he been called for eighteen centuries, and, alas for the poor lad! the best we know of him is his name.

His mother, Agrippina, daughter of Marcus Agrippa and the woful Julia, seems to have been almost the only woman who escaped unscathed from the hapless hearthstones of Augustus's model family. When the knights at the theatre tried to raise a riot against Augustus for striving to purify society by too stringent marriage-laws, the astute Emperor summoned to his box this austere young princess with her devoted husband, the popular young general, Germanicus, and, holding their little ones in his arms and by his side, silently and successfully appealed to the purity, fidelity, chivalry, in every man's heart.

The triumph of family fealty was of short duration. Germanicus died. Agrippina, haughty and straightforward, not politic enough to conceal her opinions or even her suspicions, standing between a sad, bad, reckless mother fighting for life, and a seductive step-grandmother fighting for power, found but short shrift, and starved in exile. Of the rosy children whom Augustus loved, three little boys, the happiest of all, died in infancy; three little girls, the most wretched of all, would better never have been born; and three sons grew up to die of violence. One, Caligula,

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though slain at the early age of eight-and-twenty, found the years enough to make his name a watchword for infamy so long as time shall last. With the fierce bad blood of Mark Anthony in his veins, an epileptic from childhood, and through his mother's exile intrusted to the tender mercies of the step-dame Livia, what could be demanded or expected of the unfortunate boy? He was not without cleverness. Child though he was, he could discern the scheming of Livia, and acutely characterized her as a "Ulysses in petticoats," though not from the rostrum where, after her death, he pronounced her eulogy. But he was reared in an atmosphere of guilt, terror, enforced hypocrisy. Not one word dared he utter for the doom of his mother or his brothers. Tiberius, moody, misanthropic, mad, summoned him to his hiding-place at Capri, where he witnessed and shared a life of such gloom and horror as might have wrecked a steadier brain. Abject, enslaved, knowing no other way to conciliate, he copied the dress, the manners, the very tone, of Tiberius, with pitiful flattery; and Tiberius, who detested the servility which his tyranny exacted, was, no doubt, often wrought to frenzy by this poor, little, terrible travesty of himself.

Tiberius died, and Caligula was free. Free and an emperor at twenty-four. Hitherto invisible in the sombre shadow of Tiberius, the nation rejoiced with great joy as the young man came out seemingly bright, fresh, fair, into the sunshine of the Palatine Hill whence Tiberius had fled, scourged by intolerable furies. But the Nemesis of Augustus Cæsar pursued his memory with unquenchable fire. From all the glory and grandeur of his great-grandfather the crazed boy selected for emulation his shameless and shameful marriages, justifying and glorifying himself by the example of the "deified Augustus." One wife he discarded. Another had been the wife of one of his best generals, a man who became so great that, when Nero's flatterers would have persuaded him that if he died the empire would die with him, he replied: "No; the republic still has a support in Memmius Regulus."

M. Lollius had been the teacher and tutor of Caligula. Reproached by his pupil for his extortions in Asia Minor, he had poisoned himself from chagrin. But his fabulous, if dishonest, wealth descended to the innocent hands of his granddaughter, of whose exceeding beauty Caligula one day heard his grandmother speak. Lollia was then with her husband, Memmius

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Regulus, who was commanding the army in Syria. Caligula instantly summoned her thence, and in spite of the protests of her legal husband, his loyal servant and soldier, forced her into marriage with himself. But to the caprice of Augustus he did not add the constancy; and soon wearying of the lovely heiress, he banished her from his home, but forbade her any other marriage, or even a return to her husband.

His third wife, if wife she could be called to a man who polluted all relations, even the most sacred, was a woman without the charms of beauty or character; so that Caligula, with true maniacal acuteness and demoniacal playfulness, used to threaten her with the rack to make her reveal the arts she practised to enchain his love—that terrible love, a menace in its revel, an outrage in its expression. But quickly the madman ran his race—four baleful years of wild dominion—and perished with guilty wife and innocent child. Still may one stand beneath the vast frowning arches in the vast twilight corridors of his palace, on the spot where the gleaming dagger of Cherea sped the soul of Caligula to—I think no worse a world, for could a worse exist for him than this which granted him such a career of cruelty and crime?

In the old time when Augustus and Livia had been wont to rejoice in the beauty and brightness of her grandson and his grand-nephew, Germanicus, his younger brother, Claudius, slow-witted, painfully bashful, uncourtly, but not without mental gifts and scholarly tastes, would often have been left in the background but for the kind appreciation of Augustus. Slow-witted he may have been, but he was swift enough and witty enough to rush and hide himself the moment he heard of Caligula's assassination, shrewdly fearing that he should be killed, or, first, sought and set for Emperor. Wise Claudius—wise in vain. A roving soldier saw him, brought him forth, and threatened his life if he did not instantly submit to the purple; and thus a private in the army made him Emperor.

Whoever has seen Alma Tadema's famous picture in the Walters Gallery at Baltimore will not soon forget the face, livid, distorted, ghastly, of Claudius, vainly crouching behind his curtain; or the tall Roman soldier whose sense of humor overpowers his sense of horror, so that we are fain to believe he was diverted by the sight of a fright that was needless, and invested his victim with the royal insigna as an excellent practical joke.

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Slow-witted and unambitious though he were, he had been as amply wived as his cleverer kinsmen. Betrothed in early youth to Æmilia Lepida, great-granddaughter of Augustus, he was presently separated from her because her family in some way offended Augustus. His second betrothed, Livia Medullina, blessed of fate, died on what was to have been her marriage-day. He then married in swift succession Plautia Urgunilla, whom he divorced on suspicion of grave crimes, after she had become the mother of his two children, Drusus and Claudia; Ælia Pætina, whom he divorced for comparatively trivial offences, after she had become the mother of one child, Antonia; Valeria Messalina, the daughter of his cousin, the great-granddaughter of Octavia and the ferocious and profligate Anthony, who crowned him with her dissipations and infidelities.

One young man above all others attracted her fatal attention, Caius Silius, reckoned the handsomest of Roman youths, of noble rank, great intellect, and high promise. He was already married to a noble lady, but, unable to withstand the seductions of an Empress, he divorced his wife and gave himself up wholly to Messalina's devotion. While slow-witted Claudius was bending over his books in the library of Apollo or listening, delighted, to the long reading of literary "papers" by "literary societies,"—which so bored the real literary folk that they used to sit outside the door and gossip as long as they dared, sending in surreptitious messengers from time to time to see how many leaves yet remained to read; and when certain that the end was not far off, the mean creatures—and Pliny was one of them, as he confesses—used to sneak in and sit on the edge of their chairs, just to show themselves, and slip out again—dear old Pagans! with such a naïve touch of humanity; or perhaps Claudius was out on the Campagna planning the innumerable arches of his aqueducts whose beauty still spans that wilderness after the ravages of eighteen hundred years, bringing health from the hills; but all the while his wife was flirting in the capital with the young consul-elect, visiting him at his house under cover of her numerous retinue, not hesitating to permit the imperial carriage to be seen standing at his door, the imperial livery to be met flitting through his halls and corridors. She accompanied him incessantly abroad, loaded him with presents, even the priceless heir-looms of the palace of the Cæsars;

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and all Rome, save only her plodding, patriotic, public-spirited, stupid husband, looked on agog and aghast.

Claudius went down to Ostia, perhaps to supervise the splendid harbor which he built in spite of all his imperial civil engineers, who declared that it could not be built, but built it was, not only with the engineer's skill, but with the architect's beauty and the sculptor's art, with marble columns, cornice, and entablature, with mosaic pavement and memorial inscription. But Claudius left Messalina at home. And Messalina, in the frenzy of her wicked wilfulness, determined to go through the forms of a marriage with her Caius Silius. He could not have been so reckless as she, but he probably counted it as dangerous to resist as to obey. The day was set, the guests were invited, a marriage-feast was set forth, and with civil contract and religious rites they celebrated the profane ceremony.

The court circle of Claudius were horror-struck, not so much at the guilt as at the audacity of the act. They feared to tell him lest his blind love for his wife and her power over him should expose them to Messalina's revenge; and they equally feared his wrath at their apparent connivance should he of himself discover what it seemed impossible should long be concealed. That nothing of infamy might be wanting to this high pagan social life, they at length decided to acquaint Claudius with his public shame through two women whose association with him had been his private shame. The efforts of the court were to be directed to extorting from him the condemnation of Messalina before she should have a chance to see him and ply him with her blandishments.

The two women, fitly named Cleopatra and Calpurnia, went at once to the Emperor, threw themselves at his feet, and gave him the startling tidings that Messalina had married Silius. The Emperor, confounded, summoned his confidential friend and attendant, the freedman Narcissus, who, according to their programme, confirmed the astounding story. Begging the Emperor's pardon for having been silent regarding her course while it had seemed merely a social scandal, he confessed, now that she had thrown off the mask openly in the face of the people, the senate, and the soldiery, "I must speak, for unless you, Cæsar, act with despatch, Silius is master of Rome!"

Silius, poor fool! was not master of Rome. Claudius, another,

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though Emperor, was not master of Rome. It was the freedman Narcissus who was master of Rome that day. He instantly hurried the Emperor back to his capital, never leaving him a moment to the workings of his own feeble will and insensate love. Through the whole journey homeward Narcissus sat by the Emperor in his carriage, and whenever unhappy Claudius, already relenting, would moan, "Oh! my poor children!" Narcissus would mutter, "Oh! the villany of it! The villany of it!" and Vitellius, his servile friend, would add the gruesome groan, "O crime! O penalty!"

Messalina and Silius were at the height of their mad revels. It was in mid-autumn, and the palace of the Cæsars was the centre of a bacchanal rout. They were enacting a representation of the vintage. Wine-presses were crushing out the fragrant fruit, and round the wine-vats leaped and danced wild women, Roman belles and beauties, garbed in skins like bacchanals. Messalina, with loose hair tossing, waved a thyrsus, and Silius, crowned with ivy at her side, led the drunken dance. Suddenly one of the throng, who is said to have climbed the highest tree in bacchanal frolic, but more probably was set to watch, reported to an eager questioner, asking him what he saw, "a terrible storm from Ostia." Messsengers instantly rushed in, exclaiming that Claudius had been told and was returning bent on vengeance.

The rioters fled in all directions. Messalina flew to her mother, in the gardens of Lucullus. For her own base pleasures she had braved her mother's severe displeasure, though the mother's own character left her no right to be displeased. Now, in fear and terrible trouble, the daughter's instinct turned to the mother's heart, and found but little help. Silius, feeling, no doubt, that the end had come, gathered up what manhood was left him, resumed his duties at the Forum, and resolved to die, if die he must, as die he did, without pleading or palter. The wretched Empress, recovered from her first panic, did exactly what the wily Narcissus had counted upon her doing—determined to meet her husband. With the skill of a general she surveyed the situation, marshalled her forces, and took her strongest position. Her two little children, Octavia and Britannicus, she directed to be led out to meet and embrace their father. She then ran to the Vestal Virgins and prayed the powerful intercession of the Mother

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Superior. On foot and almost alone she crossed the whole city from the Pincian Hill to the Ostian Gate and, in a field-cart,—the only carriage she could procure,—unpitied and abandoned, she pressed forward over the Campagna along the road to Ostia, to meet her insulted and angered husband.

Narcissus, on the watch, saw her coming and braced himself for the struggle. Afar off Messalina began praying aloud to the Emperor to "hear the mother of Octavia and Britannicus!" And the louder Messalina cried the more strenuously harangued Narcissus to drown her cries, haranguing into the Emperor's ears the story of her wantonness and its publicity, nor wearied of holding up the memorials of her crime to divert his eyes and distract his notice till they had left her far behind, lost in the ever-gathering throng.

Nearer the city the poor little children were descried with the Vestal Virgin Vibidia, but Narcissus quickly ordered them out of sight. The Vestal could not be so summarily disposed of, and her Narcissus plied with deception, promising her that Messalina should not be condemned unheard, but should have the opportunity to plead her own cause to Claudius. In one thing there was no deceit—his prompt and hearty prayer to the Vestal to retire and resume her devotions! Pious Narcissus!

They entered Rome, but not the palace. Straight the bold freedman took the passive and prostrate Emperor first to the house of Silius, and bade him witness the proof and the fruits of her folly in the family treasures of the Cæsars transferred as tokens of love to adorn the halls and the chambers of Silius! Then the poor man was allowed to go home, and, having eaten a hearty dinner—for nothing seems ever to have affected the Claudian appetite—and refreshed himself with abundance of red wine, which softened his fond, foolish heart toward his beautiful wife, he escaped a moment from his stern keeper and bade a messenger tell Messalina he would hear her on the morrow!

So then Narcissus had protested and labored in vain. No, for he knew his man. He went out quietly and ordered up *his* messengers—a tribune, a slave, some soldiers.

Messalina had returned to her mother, and lay prostrate, her lovely loose hair prone along the ground; the shining silken hair that had waved in fragrant rhythm with the waving thyrsus only a few short hours before. Her mother knew too well how fitting

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was her despair, and strove to rouse her to the only way of escape still left her—the stern old Roman way of self-slaughter. "To die becomingly," urged the Roman mother, "is all that remains"; but to that the poor writhing butterfly could not bring her resolution. She who had never troubled herself to live becomingly—what had she to do with the becomingness of death? She was only twenty-four years old. She wanted to live, only to live. Youth and health and vigor were strong within her; the physical joy of being; the keen pleasure of pleasure. She wanted to live, to be pardoned, to drain again and again and again the strong-spiced cup she had so often quaffed; and her voice of agony rang out through the unpitying groves in supplication to the Emperor, in imprecation of her foes, as hope or rage thrilled her impassioned heart.

By the shock of a roughly-approaching party the door flew open, but it was not the messengers her husband had sent charged with the message that would have meant to her hope and life. It was the messengers of the freedman Narcissus. The tribune stood before the fallen Empress in respectful and pitying silence. The slave, sent to watch the soldiers and secure their perfect work, reviled her with insolence, as a slave may. Messalina understood. Her mother's words would have forewarned her. With trembling pitiful fingers she pressed the cruel steel to her soft white throat, to her panting, tortured breast; but no courage could nerve that weak hand to a wound; Messalina could not "die becomingly." But the freedman was master. The slave was there to see that the freedman was obeyed, and the tribune obeyed. All that it was considered worth while to report to her husband was that Messalina was no more. Her dead body was granted to her mother. Claudius asked no question, nor ever paid to his murdered young wife or her stricken children the tribute of a tear. He but called for more wine, and continued his feast—this author, Emperor, master-mechanic.

Then began in the most refined and polished clique of the highest pagan society a contest for the dead woman's place—a contest in which ex-slaves and fine ladies took the active part, and Claudius awaited passively the issue. One freedman advocated one lady, and another, another. Finally the competition narrowed down to Lollia Paullina, the some-time wife of his late nephew, Caligula, and Agrippina, the daughter of his brave,

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bright brother, Germanicus. The eleven years since her forced marriage with Caligula had but added richness to the beauty of Lollia and self-possession to her bearing. Her surpassing charms of person and grace of manner were enhanced by the splendor of array which the ill-gotten wealth of her grandfather placed at her command. When the young lady was queening it in Rome, Pliny affirms that he had seen her at evening parties with her hair dressed in emeralds, and pearls for ear-rings, necklaces, bracelets, breast-plate, and even the simple trimmings of her robe; and the calculating, cool, old wiseacre, instead of making up to her as a young man should and presenting his compliments, and entertaining her with his learning and his accomplishments and his adventures, must needs walk around her, with his eye-glass levelled at her gems, computing that they must have cost sixteen hundred thousand dollars!

Well, dear Pliny, I have seen women in this simple Republic wearing nearly, perhaps quite, as many and as priceless, whose grandfathers never robbed a province, but bought their emeralds honestly by selling cabbages, driving a canal boat, wielding the butcher's cleaver, and otherwise benefiting humanity. Lollia's jewels do not astonish Americans, Sweet Gossip!

But Agrippina, as his niece, had ready access to the Emperor, and her blandishments prevailed over Lollia's *bijouterie*. Nevertheless, because these heathen were far from being without the witness of God in their conscience, the relationship between the high contracting parties made the marriage illegal. A servile Senate responded, however, to the noble plea that Claudius deserved consideration because he had ever been content with his own wives and had not, like his predecessors, plundered the wives of other people! A special dispensation was granted, and the next day Agrippina became Empress.

The Empress took the helm. As base as Messalina, she had the will to veil it under an austere demeanor. So much, at least, had she inherited from her mother. She ruled not with riot, but rigidity. Coveting the great estates of her whilom sister-in-law, and angry with her for having disputed the possession of Claudius and the empire, she never rested till she had procured Lollia's arraignment for treason. Stupid Claudius, spurred on by his wife and unmindful of his late admiration, appeared at the trial, addressed the Senate, emphasized the birth and circum-

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stances of the accused, and pronounced sentence of banishment and the confiscation of her estates. But Agrippina could not be easy in mind while Lollia lived, and the fatal tribune was quickly sent out to compel Lollia to self-execution. Then, having satisfied herself by an examination of the teeth that a dead, disfigured face they showed her was Lollia's, Agrippina entered into secure and serene possession of the coveted wealth.

Only the other day, digging for the foundations of Prince Massimo's palace, the workmen came upon the remains of an unknown park. Many masterpieces of art and ornamental marbles indicated what the beauty of the place had been. A line of terminal stones was presently brought to light on which, breathless, chilled, dazed, one read the inscription: "These stones mark the lines of the gardens of Lollia, which gardens are now the property of the Emperor Claudius." Instantly across the crowded, wailing centuries sweep the white robes of Lollia walking in the shade of her oaks and her ilex groves, plucking the Roman violets of her fresh morning, singing love-songs by the coolness of her fountains, wringing wild hands of anguish at the ruin which threatened all—youth and beauty, love and luxury and life whelmed in one bitter moment by a remorseless and successful rival.

True to the traditions of her blood, Agrippina, even before she had secured Claudius, was scheming for empire by rending marriage alliances. Octavia, the young daughter of Claudius and Messalina, had been betrothed to a brilliant man, Lucius Silanus, a great-grandson of the deified Augustus. He had been prime favorite of Claudius, and honored not only with the promise of his daughter's hand, but with splendid triumphal ornaments and magnificent gladiatorial shows given to the people in his name as a personal compliment to him. Agrippina determined that the son of her first marriage, Lucius Domitius, should be the husband of Octavia. She caused Silanus to be accused of high crime. He well understood. On the day that Agrippina's marriage with Claudius proved the success of her intrigues and foreshadowed her dominion Silanus slew himself.

The way was open. The consul-elect was bribed to move the Senate that Claudius might be solicited to betroth Octavia to Domitius; after which Domitius was formally adopted by the Emperor, who, giving his family name of Nero to the lad, gave a

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noble name to an infamous immortality. His own son, Britannicus, was but two years younger—younger, but a clever lad, clearly aware of what was going on, and not afraid to speak upon occasion. The officious attentions of his stepmother he laid to their true source. Once when Nero, meeting him, accosted him by his name Britannicus, he calmly returned the courtesy by addressing Nero as Domitius. Nero reported the grievance to his mother, and his mother complained to Claudius that Britannicus was taught to despise the adoption. In consequence all the tutors of Britannicus were exiled, and new tutors were selected by Agrippina. Before the people, Nero, though but two years older than Britannicus, was presented in a general's uniform, while Britannicus appeared in boy's clothes. All these things the people noticed with a foreboding compassion, but they were helpless; and at length the one wish of Agrippina was gratified, and in his sixteenth year Nero became the husband of Octavia.

Hardly was this stepping-stone to the succession secured when danger beset her from another and unexpected quarter. Stupid Claudius, who, after all, knew more of what was going on around him than he pretended, over the wine-cup which he loved too well was heedless enough to say that he was fated to bear the iniquities of his wives and then to punish them. Agrippina was instantly on the alert. To *punish* them? To punish her? She declined to be punished! Had never Claudius heard the fate which befel her second husband? Claudius fell ill and Agrippina resolved that he should never recover. Between her and the doctor he never did. Punish Agrippina, indeed!

His death was kept secret. While the Senate was offering prayers for his recovery, Agrippina was wrapping his dead body with cloths and warm applications to hide the truth. She detained his daughters in the room under one or other pretext. Feigning to be overpowered with grief, she clasped Britannicus in her arms, calling him "the very image of his father." She guarded all approaches to the palace, gave out word from time to time that the Emperor was improving—till all was ready. Then, at high noon, the palace gates were thrown open, and with fitting pomp and paraphernalia, forth walked—not Britannicus, but Nero, and was presented to the world as the new Emperor. There were many who looked back, hesitated, peered behind Nero, and anxiously asked, "Where is Britannicus?" But they asked in vain.

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Agrippina was cursed with her granted prayer. Like Livia, she quickly discovered that her son was no longer her boy, but an independent man, the Roman Emperor; and she was not Empress. When she entered the audience chamber, intending to receive jointly with the Emperor, Seneca, Nero's late tutor and now mentor, stood at Nero's side, and, while every one else fixed his eyes on the floor in breathless fear and expectancy, Seneca suggested in a low voice to Nero that he "meet his mother." Promptly and gracefully Nero acted on the suggestion, and conducted his mother to her seat—not to his. And so, under the guise of deference, the swift, silent battle was fought, and Agrippina lost.

It was but the prelude of her coming fate. Haughtily she resented her secondary state, and refused to be conciliated. When Nero selected for her the most splendid of the state robes and the *parure* of the crown, he received but the ungracious acknowledgement that "her son gave her only a portion of that which he owed wholly to her"; and the sting of her words was in their truth. As Nero had no love for the wife his mother had imposed upon him, innocent Octavia, Agrippina took up her cause and heaped reproaches upon Nero for his conjugal infidelities. A freedwoman, Acte, attracted the young Emperor's notice and what seems to have been a lasting attachment. He wished to dismiss Octavia and marry Acte. The haughty Agrippina resented that they had given her a slave for a rival! But all to no purpose. Then she took another tack. She belied a mother's instinct, and gave herself to the encouragement of his worst vices; and Nero's indifference was changed to disgust. She became desperate. With violent gesticulation and fervid appeals to Heaven, she called him to witness that, at any cost to herself, she would pull him down from the throne on which she had placed him, and which he refused to share with her. She would expose her own crimes, she would lay bare the wrongs of Britannicus, and bring the true sovereign to his own.

Nero was thoroughly alarmed. A sinister incident increased his alarm to panic. Britannicus, now fourteen, at a public play, was ordered by the king of the play, who, in this instance, was by lot Nero himself, to rise and sing some song to show his fine voice. By custom it was a comic song, and the boy, too young for such scenes, was expected to add to the amusement of the occasion, at least for Nero, by his confusion and the break-down

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of his "fine voice." On the contrary, instead of a song, he gave, with perfect self-possession, a recitation from Ennius, in which he personated a prince "thrown out of his father's throne and imperial power." The sensation in the audience was irrepressible, and, to Nero's intense surprise and chagrin, it was wholly of compassion for Britannicus. He felt that he could afford no delay.

Poison? But the young prince ate in the same room with the Emperor, though, as the custom was for children, at a smaller table. Every dish was tasted by a special officer, and Nero dared not brave public opinion, even in servile Rome, to the extent of causing the simultaneous death of prince and taster. Rome was servile enough, but there was a great deal of human nature still in Rome, and no highest sinner of them all ever knew when he should pass the boundary line of forbearance. A plot was arranged by which a cup of beverage, tried by the taster, harmless, but scalding hot, was handed to Britannicus. He refused it as too hot, and cold water was poured in containing a poison so powerful that the doomed boy was instantly deprived of speech and breath.

Every one was in consternation except Nero, who calmly remarked that Britannicus was subject to these ill turns from childhood and it would soon pass off! Sympathy became suspicion, and suspicion certainty. Some, horror-stricken, hurried away. Those who remained fixed their eyes on Nero. Into Agrippina's soul the iron entered. None so well as she knew the fell meaning of it all. She had shown her hand, and Nero again had won the game. Too well also young Octavia knew; but both women dissembled, the one her baffled revenge, the other her sisterly love. After a short silence the baleful feast went on. Britannicus was buried before the morning.

Her ally and instrument removed, a fresh foe beset Agrippina. In every New England sitting-room that respects itself, on some bracket, book-case, or other pedestal, stands a bust of Clytie, with low brow, crisp, waving hair parted deep on the slightly-bending head and falling over the slender neck, a gentle, modest, thoughtful, tranquil face, shapely shoulders, springing delicate, yet firm, from their curved and carven wreath. It is the portrait bust of the woman who now rose from the welter of crime and vice to give the *coup de grace* to Agrippina—Poppæa Sabina. History has endowed her with every ornament but an unpolluted

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mind. Charm of person she inherited from her mother, who in beauty excelled all the women of her time, and that charm she preserved with unwearied pains, as her chief possession. Out of doors she wore always a veil; within she used all the recipes known to Roman ladies to attain or secure a good complexion. She covered her face with a mask against the sun. When she travelled, a herd of five hundred she-asses followed her to furnish her bath of milk, whereby she trusted to keep her beauty during her life. Fervently at least she prayed to die before she lost it.

Her beautiful mother, daughter of a famous and honored man, had been driven to death by the machinations of Messalina, so utterly without the knowledge of Claudius that, when, a few days after her death, her husband appeared at the imperial table, the Emperor asked him why his wife was not with him. He could only reply that she was no more.

Engaging in mind and manners, modest by policy, but utterly corrupt and utterly reckless, Poppæa had been early married to a Roman knight, but was easily allured from him into marriage with a gentleman of the court, Otho, who himself afterwards became Emperor. So quickly she threw out her net for Nero that her husband was more than suspected of having secured her for the purpose of establishing his own sway over the erratic young man. If true, it was but partially successful, for her gentleman of the court was speedily banished to Lusitania under the pretext of a governorship, and Poppæa was left to fight for the hand of Nero against his wife and his mother. Their combination proved too strong for her. Convinced that Nero would never marry her during his mother's life, she begged him to restore her to her husband. The covert threat produced the intended effect. Nero saw that Poppæa would not be trifled with; that something decisive must be done if he would not lose her.

His mother he had long, but decently, avoided. When she had withdrawn to her country seat at Tusculum or had secluded herself in her groves and gardens, he had praised her prudence and wisdom. This must now be changed, for it was necessary above all to gain access to her. Everything must seem natural. He dared not repeat the scene of Britannicus and defy popular suspicion. Moreover, it would probably be useless, for Agrippina was an adept at poisons and had fortified herself by constant anti-

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dotes. Rightly conjecturing that she would welcome any overtures for reconciliation, Nero invited her to visit him in his palace at Baiæ, the fashionable watering-place of wealthy Rome, on the bay of Naples. She was staying at her villa in Antrium, across the bay, the home in which Nero had been born. The delighted mother accepted his invitation, not without fear and suspicion; but hope was stronger than they. Nero met her on the shore with affectionate greeting and conducted her to his door, gave her the seat of honor at the sumptuous banquet which he had prepared for her, entertained her with pleasant talk, and asked her opinion concerning sundry matters of graver moment. At her departure he again escorted her in person, and, embracing her, clung to her neck and fixed his eyes upon her in long and fond farewell.

Reposing in her state-room during the sail home, Agrippina could not but listen with joy to the comforting assurances of her maid, Aceronia, lying at her feet, who congratulated her upon her reconciliation and renewed influence with Nero. Her boy was capricious, but he was her boy, after all, and—a crash! a horror! The roof of the cabin had fallen in, crushed with a weight of lead heaped upon it! The two women were saved by the sides of the couch, which rose high enough and strong enough to resist the pressure. Both crept out. Aceronia, in the selfishness of frantic terror, and supposing it accident, cried and called that she was Agrippina, and implored the sailors to "help the Prince's mother!" They rejoined by beating her to death with poles and oars. Agrippina heard, kept silence, let herself down from the slowly-sinking boat, swam out into the darkness, and was taken up by one of the many small boats cruising in the bay, and so reached the shore and escaped to her own villa.

The miserable mother, deliberating on her future course, promptly determined, for the present, to recognize nothing. She at once despatched a messenger to Nero to notify him that through the mercy of the gods she had escaped the shipwreck, but besought him, however terrified at her danger, not to give himself the trouble of coming to inquire, as, though not injured, she was much shaken and especially needed rest.

Nero also understood. He knew that she would know, and that between them it was death for death. Paralyzed with fear, his imagination saw the daughter of Germanicus confronting the Senate, enkindling the soldiery, arousing the people. His freed-

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man, Anicetus, who had engineered the abortive shipwreck, declared himself still able and ready to finish the work. Nero sprang up overjoyed, and exclaimed that he had that moment been presented with the empire and by a freedman.

The messenger of Agrippina arrived with his smooth words that deceived no one. Anicetus slyly dropped a dagger between the messenger's feet, snatched it up, and on so flimsy a pretext assumed and announced that Agrippina had sent the man to assassinate her son, and therefore merited death.

As the news of Agrippina's shipwreck had spread, a great crowd had gathered on the shore and flocked to her house in joyous congratulation over her escape. Anicetus, plunging ahead, harshly dispersed them with his armed band, burst open the gates of her villa, seized such slaves as he met in her halls, and strode on to her chamber. Agrippina lay agitated and anxious. No messenger had arrived from Nero. Even her own messenger had not returned. A small light was burning dimly in the room. A single maid was in attendance. Agrippina perceived the change without—silence for the stir of the multitude. Across the silence came startling noises—not the joy of a jubilant throng. The maid arose. "You, too, are leaving me!" cried the despairing woman; and, turning, saw Anicetus with two sailors armed with clubs and swords—and saw no more.

And still the story runs that among the surrounding hills long was the sound of an unseen trumpet heard, and wailing from Agrippina's grave.

Nero waited, breathless, fearful, to see what Rome would do. Rome did nothing. Then at first cautiously, but gathering courage, as no man opposed, rudely and roughly he banished Octavia and in twelve days married Poppæa. The divorce and the remarriage the people endured; but when they learned that Octavia was not only repudiated, but banished and placed under a guard of soldiers, they raised such a murmer, mounting to clamor, that Nero recoiled and recalled Octavia. Forthwith the populace went up to the capital to offer thanks to the immortal gods. They threw down the statues of Poppæa, carried those of Octavia, wreathed with garlands, on their shoulders, and reërected them on the Forum and in the temples. More than this, the loyal, saucy, stupid, wise people, who knew quite well what they were about, thronged up the Palatine Hill to offer their grateful applause to Nero.

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Poppæa was wild with rage, and Nero sent out his soldiers to disperse the mob and restore her displaced statues ; but I think there must have been many a jeer from the stalwart, sturdy folk, scattered before official spears and chuckling that they had, for once, given that haughty supplanter a piece of their minds !

But Poppæa threw herself upon her knees before Nero and besought him now at last to see for himself that her life was not safe while Octavia lived; that Octavia had only to come to town and a tumult was raised. In truth, it was Nero that Poppæa feared more than the Roman people. She knew his terror of them, and trembled lest he should succumb to them and give her up for Octavia, whom they loved. All her horses shod with gold could not bear her away from the fear of one weak, innocent, defenceless woman, discrowned of her husband, crowned with her innocence.

A charge of guilt was invented against the innocent Octavia. The murderer of Agrippina was summoned, and, with assurance of immunity from punishment and promise of untold rewards, was induced to accept the odium of being announced as Octavia's partner in crime. As a penalty for the imputed crime she was banished to Pandataria, where so many of the imperial house had already been sent to perish. An emperor's daughter, an emperor's wife, she was left to the attendance of coarse soldiers. She lingered out a few days of woe, and then, not yet twenty years old, was ordered to die. Forlorn as she was, life was dear to her; perhaps, rather, death was dreadful. She pleaded that she was no longer Nero's wife; she was but a widow; she was the Emperor's sister. Poppæa knew it all before. The poor child appealed to their common kin. In vain ! Her tender limbs were fast bound, life ebbed slowly in mortal terror, and the suffering soul was released.

The triumph of Poppæa was complete. Then it was, I suppose, that, as she walked through the palace of the Cæsars, feeling it now first her own, and saw the great Augustus glorified in bronze and marble Apollos, the ambition seized her to be herself immortalized among the gods. It was just the whim to meet Nero's classic, artistic taste, and it was in perfect keeping with his refined sarcastic cruelty to select, for her impersonation in the hall of Apollo, Clytie, beloved of Apollo, but deserted and despised, pining away and changed into the sunflower which "turns to her God when he sets the same face which she turned when he rose."

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If Poppæa discerned the sinister meaning, none the less was the artist summoned, and the fair, calm face looks down the centuries upon us from its shining sunflower of eternal radiance.

So fair and calm the face that looked down upon old Josephus—old Josephus! Why, it was a man in the flower of his youth that stood before the fair young Empress; invested with the royalty which six-and-thirty years had lent him of Jewish virtue, Roman valor, and Greek grace. Well may Poppæa have smiled from the heights of a throne upon her admirer till all his rabbinic lore and all his patriotic uprightness melted in the fervor of his enthusiastic admiration, and all the lust and greed and murder vanished from its lovely curves and colors. The sweet voice, too, added its charm to captivate the high-born, accomplished, fascinating Jew she cared to conquer; and, under the spell of downcast eyes and soft lips, faltering pious thoughts, he, man-like, came to think "she had a very religious nature," and did not hear the suppressed cough of her ladies in the palace or the rough Roman guffaw outside. But he laughs best who laughs last, and so much advantage reaped the countrymen of Josephus from Poppæa's smiles that her fine eyes gathered them all with the imperial sunshine.

Nemesis did not tarry long for Poppæa. Weak and ill with an approaching motherhood, Nero left her for his drive one afternoon, and, returning late, was met by her reproaches for his delay. Vexed and uncontrolled, he retorted with a kick so violent that it caused her speedy death. From the rostrum the Emperor pronounced her eulogy and celebrated her funeral rites with the burning of more spices than his ships could bring or Araby the Blest produce from the harvests of a circling year; but none the less had he kicked his wife to death.

Conscience may have given Nero some inward loathing of Poppæa, some slight, sharp compunction for Octavia, since he betook himself next to Octavia's half-sister, Antonia, the daughter of Claudius and Ælia Petina, and besought her hand in marriage. She had the courage to refuse him, perhaps choosing a swift to a slow death. She had her choice. In prompt revenge he, as was his wont, charged her with crime as a pretext for her death—so much was conscience worth, if, indeed, conscience yet remained alive within him. Statilia Messalina, whose husband he had vilely slain, preferred a slow death to a swift one, married the

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young Emperor, and survived him to a tranquil and intelligent life. With all his marriages and murders, he was only in his thirty-second year when the torch of the Cæsars was forever extinguished in his blood.

And, in spite of murdered mother and wife and child, over him in death stood faithful Acte, no wife, but a woman loyal to an ideal love, seeing in that deflowered body not the deflowered soul, but the high-hearted child of music and poetry and art and genius, the Greek boy overweighted with his stern Roman armor, not so much Rome's imperator as hers by love's own anointing and coronation, who

> "drew
> With one long kiss her whole soul through
> Her lips, as sunlight drinketh dew."

And if upon her dark brow, as tradition holds, the dawn of Christianity had risen and kindled in her heart a rosy hope, it may have befallen, as with Philip Ostrander dying in the forest, a future in his face returned her gaze, and she who loved him last would yet love him at his best.

Shall we condemn those actors of the old world? They were the children of their time.

> "It is not ours to separate
> The tangled skein of will and fate."

Ours it is to see what are the tender mercies of the wicked. When men celebrate the grandeur and splendor of paganism, it is ours to see its crumbling and corrosion too. It is ours to see from what slough of despond a remote, obscure, and quickly-obliterated Roman province would lift the rich, great Roman and Rome-ridden world when a divine voice came through the troubled air: Sin when it is finished bringeth forth death. The true God is Eternal Life!

GAIL HAMILTON.

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RELIEF FOR THE SUPREME COURT.

BY EX-JUSTICE STRONG.

AMONG the many subjects now reasonably deserving consideration from Congress, there can be no one which more imperiously demands early action than the present condition and the necessity for relief of the Supreme Court of the United States. Great public and private interests emphasize the demand. The court was created by the Constitution and placed at the head of one of the three divisions of this government to maintain the just powers of each, as also to protect the rights of the States, and particularly and avowedly "to establish justice." Plainly it was never contemplated that at any time it should be allowed to become incapable of performing the functions assigned to it. If embarrassments should intervene, or obstacles to the efficient working of the court should arise, the Constitution conferred power upon another branch of the government to remove them, and the grant of that power carried with it the obligation to use it whenever it became necessary.

Now, what are the facts? For more than seventy years next following the adoption of the Constitution the court was able to discharge promptly all the duties imposed upon it. No suitor was unreasonably delayed, and the legal business of the government was never embarrassed by any inability of the court to give it early attention. During all that period the court needed no relief. Not until after 1860 did the number of cases brought into the court exceed an average of about seventy in a year. Not until after that year was the court unable to dispose of all pending cases within a term comparatively brief. There was, it is true, from year to year a gradual increase of the court's business, especially after 1850, and the length of the term during which the court sat was prolonged correspondingly, in order to accommodate this enlargement. Still, until 1860 the number of cases brought into the court was never so great as to be beyond the

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power of the court to dispose of them all. Even in 1858 the number of cases on the docket at the beginning of the term was only 261; in 1859 the number was 309; in 1860 it was 278, and in 1861 it was 265. Thenceforward there was an immense increase from year to year, doubtless owing, in large measure, to the Civil War, to the reconstruction measures, to the amendments of the Constitution, and to the establishment of the Court of Claims. This increase has continued steadily down to the present time, though questions arising out of the war, reconstruction, and the amended Constitution have been largely settled. There is now every reason to believe that the future will exhibit a steady increase over the present and past.

The figures of past growth are worthy of note. In 1880, at the close of the second week of the term of the court, the number of cases set for argument was 1,069.

In 1881 the number at the same period of the term was	1,113	In 1885 it was	1,177
In 1882 it was	1,110	In 1886 it was	1,251
In 1883 it was	1,169	In 1887 it was	1,277
In 1884 it was	1,174	In 1888 it was	1,408
		In 1889 it was	1,478

It is not meant that all these cases had been brought into the court during the next preceding year. In each year a large part of them were *remanets*—cases which the court had been unable to dispose of at former terms, although the terms had been lengthened to seven months. Even in 1880 the calendar or argument list had become so large that a case could not be heard and decided within less than about three years from the time when it was brought into the court. The evil is much greater now. This overloading the court, and the consequent injury to suitors and to the government, have for many years attracted public attention and called loudly for relief. But nothing has hitherto been accomplished by Congress, from which alone relief can come.

The court cannot relieve itself. As already remarked, its sessions are now about seven months in length, and so they have been many years. With the extremest industry it is impossible to dispose of more than about four hundred cases in any one year. Long experience has demonstrated that. It will require nearly four years to clear the present calendar, and if it were now clear, the next calendar would in all probability be beyond the power of the court to dispose of in due season. From three to four years must elapse before a case now brought into the court can be reached for decis-

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ion, and in view of past experience, and of the amazing growth of the country, of its wealth and business, of the multitude of startling inventions, of the increase of railroads, and the prospective increase of commerce, it is not unreasonable to anticipate that, if relief does not come, the burdens under which the court is now struggling will grow larger from year to year. Is the present condition of things establishing justice? Is it not, rather, a practical denial of justice? Has a suitor no just cause of complaint against a government avowedly organized "to establish justice" between itself and its constituents, and among its individual subjects, when he must wait three or four years before he can obtain it?

The evils of a continuance of such a state of things are too many, and too great to be patiently endured. Beyond the wrong to those who have just rights which they seek to enforce, there exists a temptation to persons in the wrong to remove cases from the lower courts into the Supreme Court solely for delay. The general public also suffers. Among the cases long delayed, there are always some, and often many, which raise questions in which the business of the country is interested—questions which, so long as they remain unsettled, paralyze industry and enterprise.

I have said the court cannot relieve itself. Relief must come from some other quarter, and it can come from no other than Congress. The Constitution manifestly intends that Congress shall from time to time make all needful provision for the administration of justice. While it cannot create a Supreme Court (that having been done by the Constitution itself, and no power having been given to create another), it is empowered to establish inferior courts wherever it may deem them either needful or useful, and it may assign to them such jurisdiction as the public interest may require, excepting only in cases over which the Supreme Court has original jurisdiction. Congress has power given to it by the Constitution expressly to except from the appellate jurisdiction of the Supreme Court such cases as it may deem wise to except from it. Moreover, the Constitution gives to Congress the power to make all laws which shall be necessary and proper for carrying into execution all powers vested by that instrument in any department or officer of the government. Can it be denied that the possession of such authority carries with it a duty? If

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any officer of the government, or if the Supreme Court, becomes unable to execute efficiently and usefully a power vested in him or it (that is, the power of his office), is it not incumbent upon Congress to provide by law what is necessary and proper for the execution of that power?

It is needless to pursue this subject further. I cannot think the power and duty of Congress to provide some remedy for the embarrassed condition of the Supreme Court, some relief for the present inadequate administration of justice, are doubted by any one. Nor can I think there is any difficulty in finding a complete remedy for the existing evil. The late Mr. Justice Davis, long a member of the court, and familiar with its burdened condition before 1880, when its burden was much less than it is now, prepared and submitted to the Senate a bill, which, in his judgment, and in the judgment of the other members of the court, and, I think, of the legal profession very largely, if not generally, would, if enacted into law, have efficiently and permanently relieved the court, and at the same time would facilitate the administration of justice in all the circuit courts of the country. No doubt it would have been an adequate remedy. A different proposition also was submitted by Mr. Manning, of Mississippi, in the House of Representatives on the 26th of January, 1880, and referred to the Judiciary Committee, from which it was never reported. Neither measure was ever moved farther, and Congress has hitherto remained silent, I had almost said indifferent.

Yet the bill prepared by Mr. Justice Davis undoubtedly exhibits a plan for an arrangement that would effect all that is needful. And it furnishes, I think, the only possible adequate remedy for the existing evil. It proposes the establishment of a court of appeals in each of the circuits into which the country is now divided—a court intermediate between the Supreme Court and the circuit courts. It is obvious that the details of such a plan may be various, but they all should contemplate vesting in the intermediate courts a large part of the appellate jurisdiction now belonging to the Supreme Court. To what extent this appellate jurisdiction may be taken from the Supreme Court and given to the courts of appeals may admit of differences of opinion. That Congress may determine. The courts of appeals should be courts of error alone, and their decisions should be final in most

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cases. They may be, and they probably should be, constituted either of the Supreme-Court justices assigned to the circuit and two or three circuit judges, with, perhaps, one or more district judges; or constituted of circuit judges alone; or of circuit judges associated with one or more district judges. In regard to the extent of the jurisdiction to be given to the courts of appeal there may also be differences of opinion. Of course the Supreme Court must retain all the original jurisdiction conferred upon it by the Constitution. That Congress cannot take away. So it may be, or it may not be, wise to leave for that court immediate appellate jurisdiction of all cases in law or in equity in which there are questions arising under the Constitution or laws or treaties of the United States. Perhaps the same may be said of revenue and patent cases, appeals from the Court of Claims, and cases in the territorial courts.

But there is a vast body of other cases in which no questions arise under the Constitution, laws, or treaties of the United States—cases which may be excepted from the appellate jurisdiction of the Supreme Court without danger to the correct and intelligent administration of justice. This is true of most cases which come within the jurisdiction of United States courts because of diverse citizenship of the parties. If these, with perhaps some others, were not removable into the Supreme Court for review, there can be no doubt that the court would find permanent relief and be able to dispose of all its business within a reasonable time. Certainly this would be the case after the present accumulation shall have been worked off. Unfortunately, that will occupy several years, and therefore a temporary continuance of the present evil may be unavoidable. But present evils may be endured if alleviated by an assurance of early-coming relief.

The suggested establishment of intermediate courts of appeals contemplates that in all cases of which appellate jurisdiction is given to them, appeals from the circuit courts shall be taken only to them, and that writs of error may be sent to the circuit courts only from the courts of appeals. It is also a necessary part of the scheme that judgments of the courts of appeals shall be reviewable by the Supreme Court only when the amount in controversy shall exceed a fixed sum, say ten thousand dollars, or when the case presents a question arising

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under the Constitution or laws or treaties of the United States (if jurisdiction of such cases be given to the courts of appeals), or when the court shall certify that the case raises a legal question of sufficient general or public importance to require its final determination by the Supreme Court, or when a writ of error or an appeal shall be specially allowed by a justice of the Supreme Court.

I forbear entering more fully into the details of the proposed plan. They may safely be left to the wisdom of Congress. But of the wisdom of this plan itself I think there will be little doubt. Its purpose and its effect, if adopted, are to sift out of the very large appellate jurisdiction of the Supreme Court large classes of cases that now encumber and, indeed, overwhelm the docket of that court, and commit them to the final disposition of another court of errors. It is impossible to see how suitors can be injured by it, or how the public can suffer. The Supreme Court will continue to be, as now, the final interpreter of the Constitution, laws, and treaties of the United States, and the protector of all rights held under them, while the judgments of the courts of appeals will be final in a vast number of cases. And in many cases, no doubt, where those judgments would admit of another review, they will be acquiesced in and allowed by suitors to become final. Nor would any suitor suffer injustice. He would have in a lower court a trial, and a review in a court of errors, as now, if dissatisfied. That is all which is allowed to suitors in the State courts.

It is, I think, worthy of consideration that the establishment of intermediate courts of appeals, as proposed, is not an untried experiment. The highest courts of some of the States have been greatly embarrassed by the accumulation of business upon their dockets, and relief has been sought in various ways. In one State at least, if not in more, relief has been sought and obtained by the establishment of intermediate courts of appeals. I refer to Illinois. In that State appeals to the Supreme Court directly, and writs of error from it, are allowed in all criminal cases, in cases involving a franchise or freehold, and in all cases involving the validity of a statute. But all other appellate jurisdiction is invested primarily in intermediate courts of appeals, and their jurisdiction is final in all cases where the amount in controversy is below one thousand dollars. Cases involving a

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greater sum may be removed from the courts of appeals to the Supreme Court by writs of error or by appeal, and so may cases involving a smaller sum by special allowance. The arrangement is, in substance, the same as that proposed for the national Supreme Court by Mr. Justice Davis's bill. The system has been in existence nearly twenty years, and I am informed by the highest authority that it has worked admirably. The result has been that the Supreme Court of that State has been completely relieved, although it was about three years behind when the courts of appeals were established. It soon caught up, and since the institution of the intermediate courts it has not had on its docket more than half the number of cases it would otherwise have had. I am assured also that many cases which could under the law go to the Supreme Court stop at the decision of the appellate court. I may add that the intermediate courts are constituted of circuit-court judges. Beyond doubt an arrangement similarly formulated by Congress would bring speedy and permanent relief to the Supreme Court of the United States.

It must be admitted that the plan contemplates and requires a moderate increase of the judicial force of the government. It requires an addition to the number of circuit judges now in commission. But the addition is needed if no new courts be established. The present circuit judges cannot do all that is needed in their circuits, and the business is steadily increasing. It is now many times greater than it was in 1869, when the last addition was made to the judicial force of the government. That was the only considerable addition that had been made within more than fifty years, though the population of the country had more than quadrupled and the business of the country more than correspondingly increased. Many of the circuits are now too large, and the admission of new States has added to the embarrassment. And what of the future? Can it be doubted that, with the rapid development of the country, with the wonderful advance in population, wealth, production, invention, and consequent litigation, the courts will be still more burdened, and, if justice be not denied, more courts and more judges will be indispensable? Is it not enough that in the past the judicial force of the country has not kept pace with the country's development? Shall the future witness a greater lack?

I have heard it suggested that, instead of intermediate courts

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holding their sessions in each circuit, it might be wiser to institute only one, to sit in Washington, but sending its writs to all the circuit courts, and receiving appeals from thence. I spend no time upon this beyond saying that such an arrangement would be far less convenient than the establishment of a court of appeals in each circuit, that the costs and expenses to parties would be much greater, and that the circuits would lose much, if not all, of the advantages of the presence and work of the new circuit judges at home.

I must not dismiss the subject without at least a brief notice of another plan for the relief of the Supreme Court which has been brought forward. It is the one mainly embodied in the bill introduced by Mr. Manning, to which I have heretofore referred. It proposes a large addition to the membership of the Supreme Court; a division of that court into two or three sections; a distribution of the cases on the docket among the several sections, and a hearing and decision of the cases assigned to it by each section. In regard to this it may be said that a decision by a section of the court could not fail to be received, alike by the parties and the public, with less confidence than is now given to the judgment of the entire court. This is no unimportant consideration. There are others more grave. If the decisions of a section are to be final, not subject to review and correction, then the section is practically an additional Supreme Court, which Congress has no power to create.

I know that some of the States, in order to relieve their highest courts, have organized an additional tribunal, coördinate and having equal powers. This it is conceded a State may do, for its legislature has all legislative power which is not withheld from it by the constitution of the State; but Congress has no legislative power which has not been expressly granted to it, or which is not necessarily implied by express grant. No such grant can be found in the Constitution of the United States, and if there be any implication, it is a denial of power to ordain and establish any other than inferior courts. Moreover, if, after a section has heard, examined, and reached its conclusions in a case it has had under consideration, it pronounces no judgment, but reports its conclusions to the entire court for judgment to be entered there, it is manifestly only an attempted evasion of the Constitution. So if the court is to reconsider the case before giving judgment, instead

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of accelerating the disposition of its business, the plan must retard it. And in case there is to be no reconsideration this absurdity is involved: the court gives judgment in a case which it has never heard or considered. It is hardly to be expected that any conscientious judge will consent to that.

I will not prolong this discussion. In 1881 I wrote an article (published in the May number of THE NORTH AMERICAN REVIEW of that year) in which I much more fully expressed my views of the needs of the Supreme Court and of the remedies proposed for relief. I am unwilling now to repeat what I then said. My present object is only to invite renewed attention to the subject, and to express the hope that Congress will no longer delay devising and furnishing that relief to the court which the "establishment of justice" and the voice of the public imperatively demand.

WILLIAM STRONG.

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BUSINESS MEN IN POLITICS.

BY THE HON. WARNER MILLER, EX-UNITED STATES SENATOR FROM NEW YORK.

OUR form of government gives the right to all to participate in it, and assumes that all will do so.

Government is a science—the highest science: it has to do with business affairs: without government we are barbarians; with good government we are progressive, enlightened, educated, prosperous, and happy peoples.

Our government is founded on the theory that that is the best which proceeds directly from the people governed. The science of government is most intricate. Philosophers and statesmen have studied it for centuries; yet but few of its fundamental principles have been determined so conclusively as to command universal acceptance. As governments are so closely connected with the happiness and prosperity of the people, it follows that those who administer them should be not only patriotic, but skilled in the science of government by a thorough course of training and study.

The science of government has been greatly neglected in the past in all of our schools and colleges; only lately has it been included in the curriculum of a few of our public schools. The fundamental principles of our government should be taught in all our high-schools and colleges. Much of the present disorder and unsettled condition of affairs in this country is due to an imperfect understanding or comprehension of the duties and powers of the government. Many wild and communistic theories are advocated by people who may be sincere and honest, according to their lights, but who would never think of entertaining them had they had the advantages of a careful education regarding the correct fundamental principles of government. Anarchism, socialism, communism, nihilism, and all forms of pernicious doctrines

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flourish in despotic countries, where the people are purposely kept in ignorance of the science of government, and are not permitted to have any voice in the management of affairs. Such autocratic rulers will always be confronted with these hostile and dangerous elements so long as they continue the policy of keeping their people in ignorance. Intelligence is the greatest of civilizers. Let the masses of the people of a country be educated, and I will show you a well-governed state.

We are not free from socialism, anarchism, and their kindred evils in this country, but we have them here in less aggravated forms. Our atmosphere is not conducive to their growth on this side of the water. That these false doctrines can obtain any foothold here at all must be taken as an evidence that many of our people are totally lacking in understanding of the true principles of the science of government. They should be educated as to what the government ought and ought not to do. We have not attained the highest stage of development in the science of government. We have different parties advocating different theories of taxation and other ideas and principles. Probably we shall never see the time when everybody will say: "At last our government is perfect. We cannot improve on it in any way." But the more our people are educated in the fundamental principles of government, the higher will be our standard and the greater will be our prosperity and happiness. The wild and inconsiderate legislation which is to-day found in many of our legislative bodies would disappear with the more extensive education of the people. Therefore, I say, let the fundamental principles of government be included in the curriculum of all our schools, colleges, and universities, the same as any of the other necessary branches of learning. It is the most important subject that can be taught to the rising generation.

One frequently hears it asserted that the government should step in and regulate the rate of wages, and do this and do that, exercising a paternal supervision over the people. That is all wrong. One of the good effects of a more liberal education of the masses of the people regarding the fundamental principles of government would be to do away with many of these false doctrines. Capital and labor have mutual rights which should be respected. The freedom of contract between one man and another should not be disturbed.

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The theory sometimes advanced that any man is fit to hold a public office is erroneous. The men who hold office under the city, State, or nation should have ability and especial fitness for their respective positions. The reason why we have had more lawyers than any other class in public places in the past is because their training made them more familiar with the art of government; and they were perhaps better qualified to grapple with the legal and constitutional questions arising during the last twenty or thirty years than men in any other walk of life.

But there is no longer any necessity or reason for giving the preference to lawyers in selecting men to hold our public offices and to represent us in our legislatures. We have arrived at a time when all the great fundamental and constitutional questions are practically settled, and they are not in politics now to any extent. There are no constitutional questions requiring the presence of a Webster or a Judge Story in our national councils; they have all been settled and are out of the way.

The great problems for the present generation of statesmen to exercise their talents on are commercial and business questions. We have reached an era in our development, it seems to me, when the purely professional men should be succeeded in both our State and national legislatures by practical and experienced business men. They are more competent to deal with the live questions of the hour than any other class. On a purely legal constitutional question I should prefer to have the judgment of a Webster or a Story, but on a commercial or business matter the opinion of a practical business man would be worth more than the verdict of the highest legal talent possible to obtain.

The men who are engaged in manufacturing, commerce, and transportation, being intelligent and educated men, are more competent to pass upon questions relating to their business than professional men who are not connected with those industries. The whole question of government to-day seems to me to be of constitutional rights under the law, taxation, and the development of the industries of the country. Certainly a business man is fully as competent to consider these questions as any lawyer, no matter how gifted, who has no practical acquaintance with our great industries—if, indeed, he is not more competent. Questions like the settlement and opening of lands in the West, the tariff, mining, and marine, can be acted on more intelligently

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by men who have been made familiar with these subjects by their education and experience than by any other class, no matter what their attainments may be.

In short, a great country like ours should have men representing all the great industries in all of its legislative bodies, both in the State and in the nation. For the next generation, at least, good common-sense business men can be of infinitely more service to the country in our legislatures than almost any class of professional men; and this can be said without disparagement of any one.

The one class which it seems to me desirable to retire permanently and for all time is the professional politician. He has certainly outlived his usefulness, if he ever had any—which I seriously doubt. To the professional politician we are indebted for the worst and most pernicious legislation on our statute-books. He has no desire to serve his country, and he probably never experienced a single patriotic impulse in his life. He is in politics for what there is in it for him personally and for his friends. On all matters affecting the general welfare of the people and the prosperity of the country he does not consult his constituents as to what their wishes in the premises may be; he does not even consult himself, but obeys blindly, and with a fidelity worthy of a better cause, the orders of some party boss who sits behind the screen pulling the wires. Such a spectacle is very distressing, and most humiliating to all lovers of honest and clean government. The American people are long-suffering, but I believe they have arrived at a point where they are about to deal with the purely professional politician as he deserves. His continuation in public life is a disgrace to the country.

It is gratifying to note that there are signs of the downfall of the professional politician and his creator, the party boss, already in the air. The deliverance cannot come too soon for the general good of the country. Business men are gradually making their appearance in all of our legislative bodies.

I realize, of course, that the average business man cannot give much time to becoming a candidate for and holding office, but none should be excused from the primary work of seeing that good men are nominated and elected. And there are a few business men to be found in every community who have achieved success and who can afford to accept public positions. Too much

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importance cannot be attached to the work to be done at the primaries. There is where the professional politician is strongest. He has held his own for many years through his diligent work at the primaries. They are his stronghold. Once driven out and defeated at the primaries, the retirement of the professional politicians to private life will be a comparatively easy matter. Above all, therefore, business men should give their attention to primary politics.

If the business man looks at it from a selfish stand-point alone, he must take this view, for in no other way can he protect his interests so well. He may reason that it is better to pay the extra taxation brought about by the pernicious legislation of the professional politician than to neglect his business. But if he follows this course, he may discover, when, perhaps, it is too late, that his business has been ruined by the politicians. A government like ours is supposed to look after each class alike, and therefore all classes should be represented in it.

Every industry and commercial interest should be fairly and equitably represented in our legislative halls. Just now, when business and commercial questions are uppermost in the public mind, there is a necessity for a larger number of practical business men in our legislatures than of representatives of any other class.

The influence of business men in our legislative bodies is already seen to advantage. Wherever they are found, whether at Washington or elsewhere, they will be found to be exercising and wielding a marked power in shaping commercial and business legislation. A man who has earned a reputation for sagacity in business and financial circles is certain to have weight as a member of a legislative body. His fellow-members look up to him and defer to him on questions affecting the matters with which he is familiar.

The business man as an office-holder and as a lawmaker is no longer an experiment. He has demonstrated to the satisfaction of the business world and to all who seriously have the welfare of the country at heart that he is a success. If he does not continue to increase and multiply in public places, he will have nobody to blame except himself. Three-fifths and possibly more of the legislation to be enacted in this country for the next twenty years will relate to the great commercial and business

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questions: there is nothing else in sight of more than passing importance.

The situation, then, is: Shall the adjustment and settlement of these industrial and commercial problems be left to men who either have no practical acquaintance with them, or are unfitted, by reason of their subserviency to party dictation, to consider any question from a high and patriotic stand point, or to men who, by training and experience, have acquired a thorough mastery of these subjects? To intelligent and patriotic men of all professions and grades there should be but one answer. The need of the hour is to retire the professional politician, and with him his party "boss," and to place in power men who have a deep interest in the welfare of the country. Then, and not until then, will the pending industrial and commercial questions be settled satisfactorily to the people of the States and the nation.

WARNER MILLER.

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REMINISCENCES OF A PORTRAIT-PAINTER.

BY G. P. A. HEALY.

Louis Philippe, King of France, whose sympathies with our country are well known, ordered me to paint portraits of American statesmen for the Versailles gallery. Early in the spring of 1845 he said:

"Mr. Healy, I hear that General Jackson is very ill. You must start at once for the Hermitage."

The Hermitage, General Jackson's country place, was within twelve miles of Nashville, Tennessee. I lost no time, and somewhat fatigued by the long journey, a good deal excited, a little unnerved, too, by the excessive heat, though it was only the last day of April, I drove to the old hero's door.

General Jackson was suffering from moving dropsy, and for forty days and forty nights he had been unable to lie down. He sat in a big arm-chair, propped up with pillows; he was worn out with fatigue and pain, and it was not without difficulty that I was admitted to his presence.

I was so full of my object, so eager about it, that without any preparation I at once made my request. Nature evidently never intended me to be a diplomat. It is not impossible that General Jackson looked upon me as an impostor. At any rate, he answered curtly:

"Can't sit, sir—can't sit."

"But, General, the King of France, who has sent me all this way on purpose to paint you, will be greatly disappointed."

"Can't sit, sir—not for all the kings in Christendom!"

I could get nothing more from him, and, sick at heart with the disappointment, I bowed and left the irascible old man.

On my return to Nashville I told my story to a friend of mine, who greatly blamed me for having gone directly to the General. Long suffering had made him suspicious of all strangers. He ad-

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vised me to see young Mrs. Jackson, who happened to be at a friend's house in town that very day. The General had adopted the son of an old friend, Mr. Donelson, who took the name of Jackson. His wife, a young and very charming woman, was a great favorite with the General, and had real influence over him. I went at once and requested a few minutes' conversation with Mrs. Jackson. She listened to my story, read the King's letter, which I had neglected to show to the General, and promised to do her best. She added :

"I own that I am not very sanguine. Father is very ill, and it is not easy to make him change his resolutions. Should I succeed, my husband will call at your hotel at eleven o'clock to-morrow, in order to drive you back to the Hermitage."

As can well be imagined, I spent a very restless and feverish night. It was really hard to have taken so long a journey for nothing.

Mrs. Jackson told me afterwards that her task had not been an easy one. At her first words he exclaimed :

"Can't sit, child. Let me die in peace."

She insisted, used her best arguments — all in vain. Finally she said :

"Father, I should so like you to sit."

He hesitated, much moved by her earnestness, and, with tears in his eyes, answered :

"My child, I will sit."

And so, at eleven the next morning, young Mr. Jackson drove up to my hotel, and it was with a light heart that I took my place at his side.

When the General saw me, he said :

"Sir, you made a *faux pas* yesterday. You should have shown me the King's letter."

After this, things went on very pleasantly and easily. I was admitted into the sick-room as much as I chose, and the General before long seemed to like to have me near him. He was as polite and gracious as he had been unfriendly and curt. But he suffered greatly, and on one occasion he said :

"I wish I could do you greater justice as a sitter, Mr. Healy."

I assured him that all I asked was that he might forget altogether that he was a sitter.

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When the portrait was finished, the different members of the family assembled to see it. All approved it so warmly that the General begged me to make a copy of it for his adopted children. I replied that a copy never had the living look of an original, and that, if he could endure the fatigue of further sittings, this first portrait should be for him, and I could paint another for Louis Philippe. This he readily agreed to, and I began my second portrait. When it was finished, in its turn, the General said:

"Mr. Healy, will you remain at the Hermitage long enough to paint a whole-length portrait of my dear child? I request this as a personal favor." The "dear child" was young Mrs. Jackson.

I had just heard that Mr. Clay, whose portrait the King also had ordered, was about to leave Nashville, and I considered that my duty was to try to get a few sittings before he left the city. I shall never forget the impressive way in which the General said, after he had listened to me:

"Young man, always do your duty; never allow anything to turn you from it."

But I was soon back again. Mr. Clay had already left Nashville, and, owing to an accident to the river boat which he had taken, no one could tell me where he was at that moment. I at once began the portrait. General Jackson watched its progress with eager interest, and on more than one occasion he exclaimed:

"I hope the Lord will spare me long enough to see my dear child's portrait finished!"

I began it early in the week, and on the Saturday afternoon it was almost finished. The old man was much pleased, and looked forward to the following Monday morning, when I was to give the last touches.

I was awakened, early on Sunday, by a long, pitiable wail. It was the cry of the negro servants—a sort of cadenced cry: "Oh, Lord! Oh, Lord! Old massa's dead! Old massa's dead!" The wail was then caught up by the slaves outside of the house, until it spread far and wide, all over the plantation; it was echoed here and there, now sounding close by, now dying off in the distance, always the same: "Old massa's dead! Oh, Lord! Old massa's dead!"

It chilled the blood to hear it, and I remained sadly enough in

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my room, not daring, at such a time, to intrude upon the family. However, I soon learned from two boys, nephews of Mrs. Jackson, that "grandfather," as they called the General, was not dead; he had had a long fainting fit, which had at first been mistaken for death, and the end was not far off.

At about six in the evening I went to the door of the sick-room for news. George, the General's black servant, said that his master was very low. I turned to go, when young Mr. Jackson, his face bedewed with tears, came to me. "Come in," said he; "father is dying." As I hesitated to disturb them in their grief, he continued: "Please come in. I wish it."

Ten or twelve persons were already in the room, and all were weeping. The General was propped up in bed, his head sustained by his great friend, Major Lewis. Mrs. Jackson was kneeling by the bedside, holding his hand; on the other side of the bed the faithful negro servant stood.

The General seemed unconscious, but suddenly he rallied and looked about him. He said very distinctly: "Why do you weep for me? I am in the hands of the Lord, who is about to release me. You should rejoice that my sufferings are at an end."

These were his last words. His head dropped, and soon all was over. On seeing this, his adopted daughter, his "dear child," fainted, and was carried from the room.

After leaving the Hermitage, where I remained some little time after Jackson's death to finish his adopted daughter's portrait, I went on to Ashland, Clay's beautiful country place near Lexington, Kentucky. The contrast was great in every respect. Instead of tears, of suffering, of death, I found happiness, luxury, and joyous life. Clay, though he had been a poor boy and a struggling young man, was at that time one of the most popular and successful orators and politicians of the United States. He was very fascinating in manner, and his friends took to heart his defeat when he ran for the Presidency almost as much as he did himself.

On one occasion he said to me: "Mr. Healy, you are a capital portrait-painter, and you are the first who has ever done justice to my mouth, and it is well pleased to express its gratitude." Clay's mouth was a very peculiar one—thin-lipped and extending almost from ear to ear. "But," he added, "you are an indiffer-

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ent courtier; though you come to us from the French King's presence, you have not once spoken to me of my live stock. Don't you know that I am prouder of my cows and sheep than of my best speeches?"

I confessed my want of knowledge on the subject, but I willingly accompanied him around the grounds and admired the superb creatures, saying they would do very well in a picture. I fear that that was not the sort of appreciation he expected, and that I sank very low in his esteem from that moment.

But on another occasion I proved a worse courtier still. His jealousy of Jackson is well known, and the two men formed a very striking contrast. During a long sitting he spoke of his old rival, and, knowing that I had just painted the dying man's portrait, he said:

"You, who have lived so long abroad, far from our political contests and quarrels, ought to be an impartial judge. Jackson, during his lifetime, was held up as a sort of hero; now that he is dead his admirers want to make him out a saint. Do you think he was sincere?"

"I have just come from his death-bed," I answered, "and if General Jackson was not sincere, then I do not know the meaning of the word."

I shall never forget the keen look shot at me from under Mr. Clay's eyebrows; but he merely observed:

"I see that you, like all who approach that man, were fascinated by him."

Another time a friend of Mr. Clay's, Mr. Davis, speaking of Jackson's proverbial obstinacy, said that one day, looking at a horse, Jackson remarked: "That horse is seventeen feet high." "Seventeen hands you mean, General." "What did I say?" "You said seventeen feet." "Then, by the Eternal! he is seventeen feet high."

Clay would never have sworn to the seventeen feet. He knew how to make himself loved as well as admired. After his defeat by Polk he refused to see any one. It was with great difficulty that his friends obtained his presence at a banquet given in his honor. When he entered the dining-hall, where two hundred guests were assembled, no one present was able to restrain his tears, so popular was Mr. Clay and so great was the disappointment at not having him for President.

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It was at a dinner given by Clay at Ashland that I first saw and heard the "negro minstrels." I was delighted with them, and found the performance as original as it was charming. The head of the company, knowing that I lived abroad, asked me whether I thought they would have any chance of success in Europe; they had some idea of trying London. I greatly encouraged the idea, being persuaded that they would succeed admirably. Before I returned to Europe, they were all the rage in English society; the Queen was much pleased with their songs; and, naturally, where she smiled the court and the town laughed and applauded.

Though I had proved so mediocre a courtier, my stay at Ashland was most pleasant, and Mr. Clay was the most courteous and hospitable of hosts. The portrait was successful, and we parted on the best terms possible.

Some time later I was in Washington, where Clay also found himself, and, remembering with pleasure our long talks, I hastened to call upon him. Feeling sure of my welcome, I followed the servant upstairs, and was near enough to the door to hear Clay exclaim wearily as he looked at the card: "What! another? Well, show him up." But when I entered he came forward with the sweetest smile and outstretched hands, saying with an intonation peculiarly his own: "What! you here? I thought you were with the King."

After all, public men, even the best of them, are obliged to be good actors. It does not prevent them from being true friends to the few they really care for. As to the others, they wish merely to be popular; popularity is as necessary to them as the air they breathe.

In September, 1845, I found myself in Boston, and there I obtained sittings from John Quincy Adams for the portrait ordered, among others, by King Louis Philippe. John Quincy Adams was then seventy-eight years of age. Unlike most of his predecessors at the White House, he continued to mix actively in politics after his term of office. When he sat to me he was a member of Congress, and was called the "old man eloquent." His conversation was most varied and interesting; so much so that at the time I took a few notes after each sitting, and these, by some chance, escaped destruction, whereas most of my papers were

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burned in the Chicago fire or have been lost in my frequent travels.

From his childhood John Quincy Adams had known celebrated personages at home and abroad; his father's name made him welcome everywhere, even before he was appreciated for his own sake. It seemed odd to talk with one who had been in France before the Revolution, whose father had spoken to him familiarly of Voltaire, of Buffon, of the Encyclopédistes, of the French court; who had been at school, near Paris, with Franklin's grandson, somewhere about the year 1775. In 1845 the sensation was a strange one; and writing about these things in 1890 gives one an impression of the long succession of generations holding each other by the hand until they fade into the far-away past.

One of my sitter's earliest and most agreeable recollections was that, while at school with Franklin's grandson, La Fayette with his young and beautiful bride visited the boys frequently, and no doubt brought them sweets from the Boissier of that day. "I was but a small boy then," said my sitter, "but I still remember what a deep impression the lovely marquise made on my youthful imagination."

Later he was able to be of service to Madame de La Fayette. In the summer of 1792 La Fayette was taken prisoner by the Austrians. This mishap doubtless saved his life, as, had he been in Paris during the Terror, he would certainly have been swept away by the revolutionary storm. At that time John Quincy Adams was Minister at the Hague. He there received a letter from the Marquise de La Fayette, who was ruined, and could not join her husband for lack of money. Adams sent her the sum she needed, $1,500, only too happy to be of some service to the wife of La Fayette, remembering also his youthful admiration for the beautiful marquise. When, in his turn, Robespierre was dragged to the guillotine, a list of intended victims was found among his papers, and Madame de La Fayette's name appeared on that list.

Once more John Quincy Adams saw La Fayette. It was in 1824, a short time before his election as President. La Fayette then visited America, where he was received with great enthusiasm, as was only too natural, and the Passy schoolboy, as Secretary of State, was able to return the cordial hospitality tendered him at the La Fayette mansion. John Quincy Adams accompanied the old hero to Washington. At Alexandria, during a banquet offered to the

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"nation's guest," the mayor, who presided at the table, received the news of Louis XVIII.'s death. Should La Fayette be told of this sad event or not? Adams was consulted, and, knowing that La Fayette cordially hated the King, said he would take it upon himself to break the news to their guest. He did so, and La Fayette was obliged to put his hand up to his mouth to hide a smile.

John Quincy Adams was a most courteous gentleman. The first time he came to sit, I said something about the annoyance we artists caused celebrated people; Webster was very frank on the subject; he compared us to horse-flies on a hot day: brush them off on one side, they settle on the other. Adams smiled, but said that he was by no means of Webster's opinion; that he had enjoyed his sittings to artists on more than one occasion. He had, perhaps, found that a man busy with his brush can be a good listener. I, for one, listened with great pleasure. Copley had painted an excellent portrait of my sitter's father, and when I asked permission to measure the face, as I always do, he observed that he had seen Copley measure, not only his father's face, but his arms and legs. Then he spoke of different painters he had known. He had, as a boy, seen Reynolds, whom he greatly admired, but who would often "not let well alone," and spoiled his portraits with over-care; Stuart he had sat to, though the portrait had to be finished by Sully, after the great artist's death. He had had many opportunities of studying the old masters in the different galleries. He had seen the Louvre, in Napoleon's time, filled with the finest masterpieces, unscrupulously taken from conquered countries.

"But," added he, "there were too many; it was a surfeit of sweets; it was impossible to appreciate each picture seen thus crowded by other pictures. The Dresden gallery has always seemed to me an ideal gallery."

On the landing outside of my painting-room, John Quincy Adams noticed two busts, that of Voltaire and that of Franklin.

"Sir," said he in his impressive way, "these two men I should take as representative men of their respective countries. Look at this unquiet skeleton head, so full of satire, of energy, devilishly intellectual, bold in thought, but forced to be wily and full of tricks, capable of violence, however, between two mocking smiles. Voltaire prepared the Revolution which he was not destined to

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see; indeed, some of his letters seem prophetic. My father saw him when he came to Paris at the age of eighty-four, after having been a kind of voluntary or involuntary exile during the latter part of his life. Public opinion turned at last; he was a sort of god. When he assisted at the first representation of his play, 'Irène,' at the Comédie Française, the whole audience rose and shouted out their enthusiasm. It was too much for the old man; he was killed with kindness. Now look at Franklin's head. It seems a little heavy in comparison, but how solid, how peacefully powerful, how full of reason and that first of qualities, common-sense! A strong-headed Englishman—for he was an Englishman seventy years of his life."

Then he added: "And yet I love France; I was a boy there; I always went back with pleasure."

He was in Paris during the *cent jours*. He never spoke to Napoleon, but frequently saw him in public places, at the theatres, at balls, etc. But his sympathies were rather with the Bourbons than with the Bonapartes. While he was President of the United States he frequently saw Joseph Bonaparte, who was quite convinced that he was a much greater man than his brother. His one idea, the object of all his diplomacy and intrigues, was to proclaim his nephew emperor under the name of Napoleon II., while he himself meant to be an all-powerful regent.

John Quincy Adams was an excellent classical scholar, and while speaking of his favorite authors he would grow quite excited, with his eyes cast upward. On more than one occasion I saw him literally trembling with emotion. In those far-away days cold indifference was not yet the fashion. A man did not fear to show the enthusiasm he felt. Mr. Adams said that he could never, even then, read the account of the death of Socrates without tears springing to his eyes. On one occasion he made a learned comparison between Demosthenes and Cicero, and confessed that, in spite of the usually-received opinion, his preferences were for the Latin orator; he *felt* his eloquence more than that of Demosthenes.

But my great delight was to make him talk about his early reminiscences of France and Frenchmen. I remember an anecdote which he held from his father about Buffon. We had been speaking of the anti-Christian movement of the last century, of the conviction among the philosophers that, if the world was certainly governed by some superior power, the God worshipped by mortals

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did not exist under the form their imagination had given to him. But if the philosophers between themselves indulged in these bold and subversive doctrines, they feared persecution, and never openly expressed them in their writings.

A German who had undertaken a translation of Buffon's works said to him :

"I see that you constantly use the word God. Do you believe in God ?"

"Oh, certainly not. But in France I have to take into consideration the prejudices of the people. In Germany one is free to say what one thinks. Therefore, each time you see 'God' written by me, pray translate it as though it were the word 'nature.'"

This struck me as very characteristic of the state of feeling in France before the Revolution.

While executing the orders of my royal patron, my work brought me in contact with the most celebrated of our public men. It was then that I first conceived the idea of grouping them together in a large historical picture. I chose as my subject "Webster Replying to Hayne." The great orator was a magnificent-looking man, with his deep-set eyes, his superb brow, and his fine massive presence. His, naturally, was one of the first names on Louis Philippe's list. I remember that, when I showed his portrait at the court, an impulsive Frenchwoman asked me whether Mr. Webster had ever visited Paris. When I assured her that he had done so, she exclaimed : "*Dieu ! et dire que je ne l'ai jamais vu !*"

I was as enthusiastic as the French lady, but perhaps in a different way. Webster was the very man for the central figure of a large picture. His friends and enemies, in various attitudes of attention, of admiration, or of indignation, set him off very well, and in the tribunes I grouped all the prettiest women of the day, with their big bonnets trimmed with drooping plumes, and their oddly-made dresses, which in 1846 or 1847 did not seem odd at all.

This was an immense undertaking, which required seven years to accomplish. I painted the picture in Paris, but all the studies, about one hundred and fifty portraits, I made from life. When at last the picture was finished, it was exhibited in America and finally placed in Faneuil Hall, where it is still to be seen.

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I painted Webster several times, the last being in 1848 at his country place, Marshfield. I there made a small picture of our great orator in his hunting gear; Mrs. Webster, his second wife, is seen in the distance in the doorway. This lady had no children, and as at that time my wife was with me and had a small baby, Mrs. Webster declared that she would go barefooted from Washington to Boston to have such a white, soft, pretty baby of her own. Her husband was very fond of holding the little creature in his arms and of playing with it after a solemn fashion.

Life at Mr. Webster's was very simple and pleasant; his children by his first wife, friends, and relatives made a large home circle. One of these relatives on one occasion had Webster as his partner at whist, and it seems that one can be a powerful speaker without knowing the rules of that noble game. Being much absorbed by thoughts quite foreign to the cards, Webster forgot to return his partner's lead, whereupon this gentleman exclaimed: "Mr. Webster, you play like the devil's rag-baby!"

It was while I was thus at work in the United States that I heard of Louis Philippe's fall; the King of France was an exile in England. Not only was this a real grief to me, but, from a worldly point of view, it was a real calamity. To fulfil the King's orders I had left an excellent English connection. Many of the portraits of American statesmen intended for him were either not finished or remained on my hands. I could scarcely expect that those who had overthrown Louis Philippe would think of keeping his engagements.

However, I continued my work, and when I had all the materials ready for my big picture, I returned to Paris. I never regretted the time I devoted to it, however onerous to an artist such undertakings usually are, and this one proved particularly so to me. But I hold it an honor to have painted so many of my illustrious country people; to have grouped them about a man of whom all Americans are so justly proud. And, whatever criticisms may be addressed to "Webster Replying to Hayne" as a picture, I can at least affirm that it was painted with absolute sincerity and regard for nature and truth. Each head on that vast canvas is a portrait.

GEORGE P. A. HEALY.

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ELECTION METHODS IN THE SOUTH.

BY THE HON. ROBERT SMALLS, FORMERLY REPRESENTATIVE IN CONGRESS FROM SOUTH CAROLINA.

THE highest right of a citizen, and by far the most important for the protection of all citizens, is the right to vote for the candidates of his choice and to have his vote counted as cast. The Constitution of the United States and the constitutions of all the States guarantee this right to all citizens who have not forfeited the same by the commission of certain crimes and conviction therefor. It is not a question of fitness, intelligence, wealth, color, or previous condition of servitude, but a right secured by the organic law of the country and bestowed upon all.

In South Carolina there is neither a free ballot nor an honest count, and since the election in 1874 the history of elections in the State is the history of a continued series of murders, outrages, perjury, and fraud. The brutality and fraud of the Democracy in the campaign and election of 1876 and the determination of its result were only equalled, but not excelled, by the Kuklux outrages which aroused the just indignation of the entire North. Republicanism was in that year overthrown by murderous gangs called "rifle clubs," who, acting in concert, terrorized nearly the entire State, overawing election officers and defying the courts. The elections in 1878 and 1880 were repetitions of the outrages of 1876. The shot-gun and rifle were the factors that prevented a thorough canvass, and a false count in those counties where Republicans made contests completed the work. Having perfect immunity from punishment, the encouragement, if not the active participation, of the State government, and the protection of the courts of the State, the rifle clubs committed their outrages without restraint, and the election officers their frauds without even the thin veneer of attempted concealment. Elections since then have been carried by perjury and fraud—two things worshipped and adored by the South Carolina Democracy

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Many apologists for the rule of the minority in South Carolina assert that the negro votes the Democratic ticket, and that to form a majority from the census giving the entire vote to the Republican party is erroneous. There are colored men who vote the Democratic ticket, and I suppose that there are Irishmen in Ireland who act with the Tories of England. There are, however, more white Republicans in the State who vote the Republican ticket than negroes who vote the Democratic ticket; and what better authority for the statement that a minority rules in South Carolina could be asked than the following from the lips of the present Governor of the State, who is also a member of the Board of State Canvassers, in a speech delivered at Chester, S. C., July 30, 1888, and repeated at Charleston, August 10, 1888?—

"We have now the rule of a minority of 400,000 over a majority of 600,000. No army at Austerlitz, Waterloo, or Gettysburg could ever be wielded like that mass of 600,000 people. The only thing that stands to-day between us and their rule is a flimsy statute—the Eight-Box Law—which depends for its effectiveness upon the unity of the white people."

The statement is true as far as it goes, but it is not complete. In the manner of enforcing the election statutes lies the strength of minority rule, for even if the election laws which impose an educational qualification and otherwise restrict suffrage were properly administered, Republicans would still have a majority of the legal voters in the State.

The Election Law places in the hands of the Governor the appointment of the supervisors of registration and their assistants, the commissioners of election for the election of Presidential electors and Members of Congress, and the commisioners of election for the election of State and county officers. The commissioners appoint three managers at each poll, who conduct the election, canvass the return of the managers, and determine all controversies in relation to the election. The manner of their appointment will give a better indication of how the officers act, and of their motives, than any partial discussion of their character, and for it to be understood properly some idea of the political organization of the Democracy is necessary. There is a State Executive Committee, the centre of control, with more power in the State than the President of the United States and all the laws of the country and State. Each county has an executive committee and a county chairman; the former is elected by the

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State convention and the latter by the county conventions. The rifle and other clubs exist, although murder has given way to theft, and delegates from them compose the county conventions —the basis of political action.

The governor of the State receives his orders, called recommendations, from those political committees, and they in turn receive their orders from the rifle clubs. The supervisor of registration and the commissioners of election, both State and Federal, are appointed upon the recommendation of the Democratic county chairman and county executive committee, and the managers are selected from the rifle clubs in each precinct on their recommendation. It will therefore be seen that the entire machinery of the State is in the hands of the active politicians and partisans of a single party, without the presence of a single representative of any other party to secure even the appearance of justice.

With one or possibly two exceptions, the policy of the supervisors is inaction so far as Republicans are concerned, and in nearly every county in the State it is almost as easy to earn at once a competency from a basis of zero as it is for a Republican to secure a registration ticket or correct any change of residence or irregularity ; and frequently when everything appears to be in shape, the registration-book on the day of election shows different initials, residence, or some technical objection that deprives him of his vote. The officer seldom appears on the day fixed by law,* and when he does, he manages to create so many delays that the few hours he remains are not sufficient for anything like the proper transaction of his business. Thousands of voters, after travelling fifty and often one hundred miles to the county-seat, the only place for registration, have to return home after a fruitless search for the register on the days that the law requires him to be present, and as these journeys cannot be made often, the voters are disfranchised and the votes lost. All persons desiring to vote the Democratic ticket are registered without personal application, and certificates are furnished them either before or on the day of election without even the formal ity of an oath as to eligibility. Registration, the fountain-source of election, curtails Republican suffrage by the expense and incon-

* Which is the first Monday in each month, commencing in January and closing on the first Monday in July of each year in which elections are held.

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venience it entails upon persons not living at the county-seat, by refusal through wilful neglect to register Republicans, and by fraud of the supervisor in making false entries; it adds to the Democratic vote through his fraud in unlawfully adding to the names on the registration-books those of all persons who are expected to vote the Democratic ticket.

If fortunate enough to obtain a certificate and he is in the low country or the Seventh Congressional District, which strikes nearly every Republican centre, the Republican goes to the polls, if he can find them, early in the morning, as he is more or less acquainted with the delays there, especially if there is a promise of a large Republican vote. The hour for the opening of the polls comes and goes, and neither managers nor boxes make their appearance. The crowd grows larger and soon there are four or five hundred Republicans. Anxious inquiries are made for the managers. It is learned later that, of the managers, Colonel Jones has gone to town, Mr. Brown has gone hunting, and Mr. Smith says he does not intend to serve, as there is no pay in it. Four or five hundred Republicans are disfranchised by the neglect of the managers, and not even the letter or spirit of the law is violated by the poll not being opened.

At a neighboring poll another scene is enacted. The polls are open, the boxes shown, the voters deposit their ballots, there is general levity, and everything appears to be fair. There are three hundred Republican voters; the Democracy have secured forty or fifty votes, and the polls close. The votes are counted; there are two or three hundred more ballots than names on the poll-list; instead of fifty Democratic ballots there are three hundred and fifty. The ballots are of regulation size, nobody has had access to the boxes but the managers, and the opening is too small for the introduction of any quantity of ballots without detection. Who put them in the box? The managers. The law for legalizing fraud is invoked. It requires the managers to draw ballots from the box until the number in the box tallies with the total number of votes cast. The box is shaken, for there is nothing for the Democracy to lose, being a case of "tail I win, head you lose"; the drawing is made; the votes are again counted. Result: the Democracy have a majority of fifty votes, more or less, at an overwhelming Republican precinct. The law has been obeyed and the rights of all protected.

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"The ballot shall be without ornament, designation, mutilation, symbol, or mark of any kind whatsoever, except the name or names of the person or persons voted for, and the office to which such person or persons are intended to be chosen." Advantage is taken of the law by Democratic managers to perpetrate a fraud of their own. The opening in the ballot-box being small, a ticket inserted does not fall to the bottom of the box. The obliging and attentive manager pushes it down with his lead-pencil, managing to leave a mark on the ballot. At the count the marked ballots are thrown out as mutilated, and are not included in the vote. At an election in Beaufort County, a dishonest manager was caught performing the trick. The people at the polls prevented the ballots from being destroyed, but one of the commissioners of election, when the box reached Beaufort, obtained and destroyed them to prevent me from using them as part of my evidence.

Other Republican precincts with large majorities are disfranchised by the managers of the election wilfully neglecting to take the oath required by law, failing to sign the returns or seal the boxes, or taking advantage of any other possible omission or violation of the numerous requirements of the election statute. These matters form the basis of protests from Democratic candidates, and are parts of the scheme of fraud that are seized upon by the Democratic commissioners of election as pretexts for refusing to count the votes of protested precincts.

A little explanation as to the mode of procedure in deciding protests will at once show the injustice, amounting to fraud, that is practised. The commissioners meet. The boxes are in their custody, and the canvass of the votes goes on. All of the precincts where there is a considerable Democratic vote are counted at once. When the Republican precincts are reached, there is a protest filed by one of the conspirators. It charges an array of irregularities, and, incredible as it may appear in fraud-ridden and bulldozed South Carolina, it often contains a charge of Republican intimidation. The protest is general in its wording. No testimony is taken; the controversy is settled by affidavits; and as Republicans are not allowed by the commissioners to have any knowledge of the contents of the affidavits supporting the protests until the final hearing, when charges like intimidation, bribery, etc., are made, they have to make their fight in the dark,

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and their affidavits can contain little except general denials of the charges. The commissioners hear the affidavits and arguments, if there are any, and by their decision reject sufficient Republican precincts to give the Democracy a majority in the county or Congressional district. The dirty work required of the commissioners where contests are made makes the office an undesirable one for honest men, and there are many honest Democrats who have no sympathy with the schemes of fraud and acts of violence practised by their political associates; but they are powerless in the face of the Democratic political machine that rules Democrat and Republican alike with its iron hand. Men are generally appointed who have little or no character and are violent persons.

I have given as fully as limited space will permit the most prominent frauds and acts of injustice that occur in the registration of voters and after the gantlet of the eight boxes has been passed, and it will be seen that considerable more is necessary for the continuance of minority rule than eight ballot-boxes. The eight-box section, from which by common consent the statute takes its name, depends upon the unfair methods of its enforcement for its effectiveness. The poor whites who form the bulk of the Democratic voters could no more vote intelligently under its provisions than the ignorant colored voter. The mode of making the law one-sided is as follows: The managers have the custody of the Democratic ballots. They place a package for each box alongside or generally upon it, and the Democratic voter has nothing to do but fold and put it in. The boxes are often shifted to prevent intelligent Republicans from indicating to their more ignorant brethren the location of the boxes. The law requires the managers to read the names on the boxes when requested, but as this would be of no value to a man who could not read the ticket in his hand, and as managers have been caught lying so often when they pretended to read the names, the apparent protection is only a further abuse of a free ballot. As no ignorant man can place in the proper boxes eight or more distinct ballots with no other guidance than the names upon them, it can be readily seen that the section imposes an educational qualification upon voters contrary to the constitution of the State; and it is this flagrant violation of the organic law that has given this section so much prominence. Democratic majorities in South Carolina are due, not to obedience to the law, but to its flagrant violation. If

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through mistake a ballot is placed in the wrong box, it is not counted, for this reason: the ballot-boxes are shifted, and only one voter at a time is allowed in the room where the votes are deposited. He is compelled by law to deposit his own ballots in the boxes.

In view of all these frauds and outrages I call upon the true Representatives who are in favor of honest elections and a fair count to give their undivided support to the Lodge Election Bill.

The State Republican Convention, when it adjourned on September 18, referred the matter of nominating a State ticket to its Executive Committee. This committee, of which I am a member, at its meeting in Columbia on October 6, owing to the above-stated facts, decided that it was inexpedient to nominate a State ticket.

Since the adjournment of the committee the straight-out Democrats of this State have nominated a ticket, which brings about a split in the Democratic ranks. That ticket, I think, is 99 per cent. better than the ticket nominated in Columbia, headed by B. R. Tillman, who is the personification of red-shirt Democracy. He bases his claims and qualifications for the office on the fact that he organized the first red-shirt club in South Carolina, and led it in the bloody massacres at Hamburg and Ellenton, and that the trusty rifle which did such deadly execution now occupies a prominent position in his parlor, and is one of the most cherished of all of its ornaments. He also opposes the levying of the two-mills school-tax, which is required by the constitution of the State. He is in favor of calling a constitutional convention, should he be elected governor, for the purpose of framing a new constitution. The nominee for lieutenant-governor on the same ticket said, in a public speech at Florence, that "it made his blood boil in his veins to see a negro woman occupy a seat in the same car with white people."

While it is repugnant to my feelings as a Republican to advise my people to vote for any Democrat, yet in this emergency I must advise them to do anything that is legitimate to bring about the defeat of this arch-enemy of my race. The ticket headed by Mr. Haskell represents the better element of the Democracy of South Carolina, who, in my opinion, are opposed to the frauds perpetrated against a free ballot, while the election of the ticket headed by Tillman means a perpetuation of all of the evils mentioned in this article, *and more*.

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I desire to state in the most positive and emphatic manner that the number of negroes in South Carolina who have voted the Democratic ticket from compulsion or other causes from 1867 to the present time would not exceed five hundred. The entire white vote of the State (census of 1880) is only 86,900, while the total colored vote is 118,889, and yet at no election held in the State, except the election of 1876, when the gigantic steal was perpetrated by the Democrats, has the Democratic vote ever exceeded 70,000. At any election in South Carolina when the votes shall be counted as cast, it will be found that the negroes of the South are as true and as loyal to the principles of Republicanism as they were to the flag of this great country when treason sought to blot it out.

There are men now in Congress who are willing to vote for an appropriation out of the treasury to have us sent out of the country. As long as there was a Democratic government at Washington, and the South could get false representation in Congress, they were opposed to our leaving. But now with that lover of constitutional liberty, Benjamin Harrison, in the White House, they certainly know that the rights of all the citizens of this great country will be protected alike, and that South Carolina, like Massachusetts, will have an honest election law, under which there will be free elections and fair counts. These men forget that the negroes of the country gave 186,000 men who fought in two hundred and fifty-two battles for the perpetuity of this great nation. We do not intend to go anywhere, but will remain right here and help make this the most powerful of all governments.

ROBERT SMALLS.

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A SOUTHERN REPUBLICAN ON THE LODGE BILL.

BY A. W. SHAFFER, CHIEF FEDERAL SUPERVISOR OF ELECTIONS IN NORTH CAROLINA.

MR. LODGE, in his interesting paper in THE NORTH AMERICAN REVIEW for September, came near to voicing the sentiment of Southern Republicanism when he said: "The original Supervisors' Law, of which this is an extension, was designed especially to meet the notorious frauds in the city of New York, and the present bill aims quite as much to cure frauds in the great cities of the North as in any part of the country."

Reasoning from twenty years of experience, observation, and analysis, we think it would have been more creditable to the judgment of himself and of Congress if he could have added, "*and a great deal more.*"

Whatever may have been the design of the framers of the act of 1871 referred to, it had its origin in the infinitely grosser frauds in the South, and its authority in their denunciation by Republican State and national conventions everywhere. While that act seems to have had some deterrent influence in the North, where the way of the transgressor was made hard by faithful courts, honest juries, and a correct public opinion, it did not so operate in the South, where all the conditions are reversed. Here the party arrogating to itself all the wealth, intelligence, and respectability constitutes the minority party—the usual beneficiary of successful fraud. Here public opinion tolerates, when it does not justify, all crimes for the maintenance of the supremacy of the Democratic party; the State courts treat them as "a species of wild justice," and *all* juries ignore them. Falsification of elections in

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the South has been so common and so safe during the last twenty years of national "supervision" that Democracy has long since ceased to deny or extenuate it; the long-suffering victim meekly anticipates it at every election, and even the incredulous Northern Republican has come to comprehend it. Oligarchy sits enthroned by Fraud and Violence and dominates one-third of the Republic,—a visible monument of the folly and inefficiency of the Supervisory Act of 1871, which still encumbers the national statute-books, and of which, says Mr. Lodge, this bill "is an extension."

Southern Republicanism is reluctantly, but irrevocably, opposed to the pending bill, on the general ground that it has had a surfeit of quackery and malpractice already. It has long known and tried to impress upon Congress the fact that the malady with which the South is afflicted has become chronic. The Congressional knife of excision must take the place of this folly of supervision, or fraud and violence must go on forever.

Suppose, for illustration, that the president, teller, cashier, and other officers of a great national bank in New York should enter into a conspiracy to rob the vaults, falsify the books, destroy the records, and perpetuate themselves in office and power: what would the directors do when they detected the crime? Would they create a duplicate set of officers, under duplicate salaries, and set them in supervision over the rogues, to reduce subsequent crimes to a minimum? Would they not purge that bank from turret to foundation, reorganize the institution from the bottom up, and start the thieves on a dog-trot to the penitentiary?

To obtain a comprehensive view of the Southern situation and see the folly of attempted supervision of State election officials acting under State laws, the Northern reader must divorce his mind from his surroundings. He must forget that respectable society, public opinion, intelligence, capital, labor, the courts, and the juries are arrayed in solid phalanx for the maintenance of law and order, without which no great party at the North could stand the ordeal of a single campaign. He must see, instead, a race possessing all the haughty pride and resolution of twenty centuries of domination, monopolizing the wealth, the intelligence, and the respectability of the people; a minority controlling their State, and more than half despising the general government; united by the strongest ties that ever bound mankind in any un-

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holy compact; sworn to rule at every hazard. These he must see arrayed in deadly political conflict against a party composed largely—perhaps two-thirds—of a confessedly inferior, despised, and contemned race, barely a quarter of a century out of barbarism.

That a party so constituted and so antagonized can never maintain its political rights without violence, under a sickly-sentimental, half-hearted national supervision, ought to be evident to the commonest mind. That it *is* sickly-sentimental and half-hearted, witness these facts. *First,* that Congress has frequently declared that elections in the South are an unmixed farce. *Second,* that Congress is specially charged with the maintenance of a republican form of government in the States. *Third,* that Congress claims, and public opinion concedes, the constitutional authority to direct and control, absolutely, the election and qualification of its own members. With such support and such authority for effective legislation, Congress affects an attack upon this portentous evil by galvanizing into life, patching up, and extending an existing statute of supervision which was justly characterized by a Republican ex-Congressman from the South as "an attempt to oversee without overseers, and to coerce without coercers, under the provisions of a statute having no more vitality in the South than the laws of a foreign country."

The primary cause of its lack of adaptation to the South lies in the difficulty of obtaining efficient supervisors to attend the registration and election. There are hundreds, perhaps thousands, of precincts in which no sufficient number of available white Republicans reside to man the polls with the requisite proportion of that party, and these precincts, far more than any other, are the centres of Democratic fraud, and require close supervision. It would be cruel to appoint colored supervisors there, even if negroes could be found in those remote rural districts with the requisite education and capacity, because their fellows of the opposite party would not serve with them, and the State officials would not suffer them about the polls. If, serving under the ægis of a national commission, they determined to act without their opponents' assent, one would be about as likely to discover the lost pleiad as to find the colored supervisors of such precincts when the election returns were wanted.

The natural retort of a critical mind would be: "How will

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you conduct an election under a national election law, if it cannot be effected under a national law of supervision?" The answer lies in the fact that supervision implies the recognition of the paramount executive authority of the State; which the State official is quick to see and swift to appropriate. The creature of an inferior sovereignty, he is, nevertheless, greater than that of the sovereign paramount, and regards the latter's presence as a deadly imputation upon his official integrity, and the exercise of the functions of his office as an unwarrantable insolence. There are five of these State officials at every poll, *not* required to be able to read or write,* the majority of whom are always Democrats, and whose chief study it is to make the way of the Republican supervisor a hard road to travel.

Under a national election law there can be no conflict of authority, no question of precedence, no State interference, and no dodging of official duty. There can be no inducement for fraud, because a Congress possessing the nerve to "bell the cat" with such a law would provide the wholesome alternative of "honest elections or no representation." (The reader may elaborate this paragraph into a chapter, a sermon, or a book. It forms the key to the solution of the whole negro problem.)

Granting that this bill has some valuable provisions not found in the existing statute of 1871,—notably that for the official canvass and certification of the vote,—it is fair, keeping these improvements in view, to judge of the probable utility and value of the new by the success or failure of the old. Brief citations of characteristic cases which were duplicated indefinitely in ten States, without possibility of correction or punishment, may be taken as samples of scores of methods of successful fraud committed in the actual presence of supervision.

During the Presidential election of 1888, at the precinct of East Durham, that city of great Southern enterprise and Northern capital, 350 registered negro voters were challenged at the polls

* During the debate on the State Election Law in the Legislature of 1888, a Republican member moved in amendment that the poll-holders be required to be able to read and write. It was voted down, because it would destroy the practice of selecting ignorant, stupid, or idiotic white or black men for the Republican precinct election officials, who would not have sense enough to detect or interfere with the frauds. Boards of county commissioners are elected by the county magistrates, who in turn are appointed by the Legislature –all Democrats to a man. These appoint the poll-holders, and the commissioners are acting upon the legislative suggestion described for the pending election. It matters not what the vote be; the *count* will be for the Democratic candidates.

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and ordered to stand aside until 4 o'clock P.M. No specification of cause of challenge was made or required, and when the cases were taken up at the appointed hour, the time was occupied in the argument of frivolous and irrelevant questions until night, when the polls were closed without the polling of a single one of the challenged votes, or the disclosure of a cause for their rejection.

Again, Warren County, N. C., has twelve precincts, with a Republican majority in each, aggregating 1,315 votes. At the election of 1888 the county was equipped with supervisors at every precinct. Ignoring the lesser frauds at the polls, the aggregate vote of seven of the twelve precincts showed a Republican majority of 713 on the Congressional ticket. On the Tuesday following the election the Board of County Canvassers —all Democrats—threw out and rejected the entire vote of these seven precincts, in open violation of law, for the following alleged causes:

NUTBUSH AND SHOCCO—Because the returns were not dated at the bottom, as well as at the top.

WARRENTON—Because the polls had not been opened precisely at 7 o'clock A.M.

SANDY CREEK—Because ditto marks (") were used after the names of some candidates upon the returns.

FORK—Because the number of the senatorial district was left blank in the returns.

JUDKINS—Because the number of votes was given in figures only in the returns.

ROANOKE—Because the first person chosen did not carry up the returns to the Board of County Canvassers, though a second did.

These are fair samples of two devices by which enormous frauds were committed throughout the district. Other precincts and other counties had other devices equally efficient in the teeth of supervision, but when the uncontroverted evidence was laid before the grand jury of the United States Circuit Court, "twelve good men and true" laid their hands on the Bible and answered, "Not a true bill"; the only reason that the entire county of Warren was not thrown out being that the district had been "sized up" for the Democratic candidate for Congress. But the conspirators had underestimated the actual Republican and overestimated the probable Democratic vote in the district by 300; and the Republican candidate in a district polling 10,000 normal Republican majority was returned "by the skin of his teeth."

That district was as well supervised as it well could be under existing conditions—as well, indeed, as it could have been if Mr.

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Lodge had been present in person at every poll; and if he had been there,—let it be said "with bated breath and whispering humbleness,"—he would not now be trifling with a conspiracy against human rights the magnitude and enormity of which he does not understand.

The bill contains structural infirmities which ought to be fatal. Of these, three are worthy of special consideration, to wit:

First—The disfranchisement of fifty citizens in every election precinct, town, parish, city, county, or Congressional district, and one hundred in every city of 20,000 inhabitants, asking for the supervision of election. (See sec. 6.)

Second—The gross inequality of compensation provided for services performed by the various officials. (See secs. 14 and 24.)

Third—The excess of penalties provided beyond the limit of prosecutions upon information in lieu of indictment. (See penalties.)

The mere statement of the first infirmity ought to be its condemnation. It is a tub thrown to the Democratic whale, and when the too generous donors are again floundering in the political waters, it is to be hoped that it may be given them to see the folly of disabling one's best seamen upon the first indication of a storm. Some knowledge of the metal required of men who ask for the supervision provided by the bill may be drawn from a late speech at Raleigh by Senator Vance:

> *"A Southern man who supports the Force Bill ought not to be allowed to live among us. Don't understand me as advocating violence, but there is such a thing as driving such men out by fierce intolerance and contempt; and they deserve all that can be heaped upon them!"*

If the Northern reader is deceived with the notion that "fierce intolerance" was intended to qualify "violence" in the minds of his audience, it will have accomplished its purpose there; but those men who have suffered the tortures of both for twenty years have not been able to distinguish the one from the other, and are not intimidated thereby. Only the base ingratitude of disfranchisement for patriotic service can make the heart sick and quench the fires of patriotic devotion.

The character and extent of the second infirmity may be best illustrated by reference to past experience under like conditions. The work of the chief supervisor of elections for 1888 commenced in early August for the Eastern District of North Carolina and

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continued until late in December, nearly five months. It related chiefly to the details of the selection, appointment, instruction, direction, and control of some six hundred supervisors and the proper disposition of their reports and returns. There were no deputy marshals, no paid supervisors, and no city canvassers. After the account of the chief supervisor for that service had run the gantlet of the court and of the accounting officers of the treasury, he realized therefrom the net sum of $153.30—that is to say, about $1 per day.

Meanwhile the account of the clerk of the court for two days' work of himself and of his deputy in filling up, signing, sealing, and recording supervisors' commissions was $749.05—that is to say, $374.52 per day.

The Lodge Bill proposes to take from the clerk and put upon the chief supervisor this two days' work, amounting to $749.05, without compensation. Besides, it adds four supervisors for every precinct, for which the aggregate fees of the clerk would be $2,247.15, but for which the chief supervisor would receive absolutely nothing.

There is fully 300 per cent. more work put upon the chief by the new than by the old act; but his compensation is still dependent upon the ridiculous item of *papers filed* at ten cents each—an item which bears no more proportion to the amount of work performed than a dewdrop bears to the ocean, and may reach, all told, $1.50 per day. True, there are some luxuries; but they are expensive to a man on day-laborer's wages. He may have a deputy and a chief clerk, but he must pay both from his own salary. He may bring one action in the circuit court and another in the court of claims every day, if his little fees are not "paid on the nail"; but he cannot sue *in formâ pauperis*, nor have the United States attorney assigned as counsel. Extraordinary care is taken to demonstrate the self-evident fact that these ten-cent fees are cumulative, and do not vitiate such as may have accrued for service as United States commissioner; but, alas! no single item of that description has ever yet been discovered in connection with these duties, under the microscopic vision of the most expert formulator of a bill of costs. Truly, the ways of the petitioner for supervision and of the chief supervisor are hard, their burdens great, and their rewards—*nil.*

Not so the Board of State Canvassers, of which there are to be

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three members. These receive $20 a day each, and have a clerk to do their work at $12 a day, *not* paid from their salaries. While this clerk tabulates the returns, the members of the board may inhale their oxygen in the mountains and their ozone by the sea, limited only as to time and expense by their official consciences in certification, upon salaries 50 per cent. above that of a United States Senator.

It is not surprising that the original act of 1871 should contain some inequalities of compensation, arising from unfamiliarity with the duties of a class of officers whose bills of costs even the accomplished experts of the treasury never yet adjusted twice alike; but to reënact the ridiculous provisions of that law twenty years later, and, in addition, to increase by 300 per cent. the labor of one officer without reasonable, not to say *decent*, compensation, while creating others with nominal duties and extraordinary salaries and clerical aid, may well subject its promoters to severe criticism, if not to the suspicion of inexcusable ignorance or of the attempt to handicap the law with provisions so repulsive as to render its effective execution impracticable.

Of the third and last infirmity cited it may be said that the grand juries of the circuit courts constitute the stumbling-block before which all attempted prosecutions for election frauds fall. Summoned for intelligence and impartially assigned to grand or petit duties, the majorities are Democratic, in full sympathy with the criminals, if not of them. No amount or character of testimony can convince such a jury that an election fraud was ever committed, and there follows in natural sequence the dictum, "Not a true bill."

The Hon. D. L. Russell, the ex-Congressman heretofore cited, has suggested, in his own terse and unequivocal style, that, "instead of piling up penalties so as to make every breach of law a felony, the bill should pronounce infractions of its provisions to be misdemeanors, so punishable as to render it competent for the government to bring up offenders upon simple informations. Then if juries will not convict, there will at least be exposed two classes of criminals—those at the bar and those in the jury-box." That seems to hit the nail on the head.

In conclusion: It has dawned upon the intellect of those who have borne the brunt of the political crimes for the last twenty-five years that their experience and opinions are neither sought nor

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accepted, nor do they pass current in high places; that when they have asked for bread, they have received a stone; and when they sought a national system of Congressional elections,—a system that would be neither evaded nor annulled,—lo! there is tendered this miserable caricature of a long dead and forgotten statute, valuable only for the spoilsman, and fairly reeking with fraud, violence, and blood, because both threatening and impotent. Who shall judge them if, in the bitterness of deferred hope and violated promises, they cry aloud for deliverance from these their friends?

A. W. SHAFFER.

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OLD POETS.

BY WALT WHITMAN.

POETRY (I am clear) is eligible of something far more ripened and ample, our lands and pending days, than it has yet produced from any utterance old or new. Modern or new poetry, too, (viewing or challenging it with severe criticism,) is largely a void —while the very cognizance, or even suspicion of that void, and the need of filling it, proves a certainty of the hidden and waiting supply. Leaving other lands and languages to speak for themselves, we can abruptly but deeply suggest it best from our own—going first to oversea illustrations, and standing on them. Think of Byron, Burns, Shelley, Keats, (even first-raters, "the brothers of the radiant summit," as William O'Connor calls them,) as having done only their precursory and 'prentice work, and all their best and real poems being left yet unwrought, untouched. Is it difficult to imagine ahead of us and them, evolved from them, poesy completer far than any they themselves fulfilled? One has in his eye and mind some very large, very old, entirely sound and vital tree or vine, like certain hardy, ever-fruitful specimens in California and Canada, or down in Mexico, (and indeed in all lands) beyond the chronological records—illustrations of growth, continuity, power, amplitude and *exploitation*, almost beyond statement, but proving fact and possibility, outside of argument.

Perhaps, indeed, the rarest and most blessed quality of transcendent noble poetry—as of law, and of the profoundest wisdom and æstheticism—is, (I would suggest,) from sane, completed, vital, capable old age. The final proof of song or personality is a sort of matured, accreted, superb, evoluted, almost divine, impalpable diffuseness and atmosphere or invisible magnetism, dissolving and embracing all, and not any special achievement of

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passion, pride, metrical form, epigram, plot, thought, or what is called beauty. The bud of the rose or the half-blown flower is beautiful, of course, but only the perfected bloom or apple or finished wheat-head is beyond the rest. Completed fruitage like this comes (in my opinion) to a grand age, in man or woman, through an essentially sound continuated physiology and psychology (both important) and is the culminating glorious aureole of all and several preceding. Like the tree or vine just mentioned, it stands at last in a beauty, power and productiveness of its own, above all others, and of a sort and style uniting all criticisms, proofs and adherences.

Let us diversify the matter a little by portraying some of the American poets from our own point of view.

Longfellow, reminiscent, polished, elegant, with the air of finest conventional library, picture-gallery or parlor, with ladies and gentlemen in them, and plush and rosewood, and ground-glass lamps, and mahogany and ebony furniture, and a silver inkstand and scented satin paper to write on.

Whittier stands for morality (not in any all-accepting philosophic or Hegelian sense, but) filtered through a Puritanical or Quaker filter—is incalculably valuable as a genuine utterance, (and the finest,)—with many local and Yankee and *genre* bits—all hued with anti-slavery coloring—(the *genre* and anti-slavery contributions all precious—all help). Whittier's is rather a grand figure, but pretty lean and ascetic—no Greek—not universal and composite enough (don't try—don't wish to be) for ideal Americanism. Ideal Americanism would take the Greek spirit and law, and democratize and scientize and (thence) truly Christianize them for the whole, the globe, all history, all ranks and lands, all facts, all good and bad. (Ah this *bad*—this nineteen-twentieths of us all! What a stumbling-block it remains for poets and metaphysicians—what a chance (the strange, clear-as-ever inscription on the old dug-up tablet) it offers yet for being translated—what can be its purpose in the God-scheme of this universe and all?)

Then William Cullen Bryant—meditative, serious, from first to last tending to threnodies—his genius mainly lyrical—when reading his pieces who could expect or ask for more magnificent ones than such as "The Battle-Field," and "A Forest Hymm"? Bryant, unrolling, prairie-like, nothwithstanding his mountains

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and lakes—moral enough (yet worldly and conventional)—a naturalist, pedestrian, gardener and fruiter—well aware of books, but mixing to the last in cities and society. I am not sure but his name ought to lead the list of American bards. Years ago I thought Emerson preëminent (and as to the last polish and intellectual cuteness may-be I think so still)—but, for reasons, I have been gradually tending to give the file-leading place for American native poesy to W. C. B.

Of Emerson I have already to confirm my already avowed opinion regarding his highest bardic and personal attitude. Of the galaxy of the past—of Poe, Halleck, Mrs. Sigourney, Allston, Willis, Dana, John Pierpont, W. G. Simms, Robert Sands, Drake, Hillhouse, Theodore Fay, Margaret Fuller, Epes Sargent, Boker, Paul Hayne, Lanier, and others, I fitly in essaying such a theme as this, and reverence for their memories, may at least give a heart-benizon on the list of their names.

Time and New World humanity having the venerable resemblances more than anything else, and being "the same subject continued," just here in 1890, one gets a curious nourishment and lift (I do) from all those grand old veterans Bancroft, Kossuth, von Moltke—and such typical specimens as Sophocles and Goethe, genius, health, beauty of person, riches, rank, renown and length of days, all combining and centring in one case.

Above everything, what could humanity and literature do without the mellow, last-justifying, averaging, bringing-up of many, many years—a great old age amplified? Every really first-class production has likely to pass through the crucial tests of a generation, perhaps several generations. Lord Bacon says the first sight of any work really new and first-rate in beauty and originality always arouses something disagreeable and repulsive. Voltaire termed the Shakespearean works "a huge dunghill"; Hamlet he described (to the Academy, whose members listened with approbation) as "the dream of a drunken savage, with a few flashes of beautiful thoughts." And not the Ferney sage alone; the orthodox judges and law-givers of France, such as La Harpe, J. L. Geoffroy, and Chateaubriand, either joined in Voltaire's verdict, or went further. Indeed the classicists and regulars there still hold to it. The lesson is very significant in all departments. People resent anything new as a personal insult. When umbrellas were first used in England,

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those who carried them were hooted and pelted so furiously that their lives were endangered. The same rage encountered the attempt in theatricals to perform women's parts by real women which was publicly considered disgusting and outrageous. Byron thought Pope's verse incomparably ahead of Homer and Shakespeare. One of the prevalent objections, in the days of Columbus was, the learned men boldly asserted that if a ship should reach India she would never get back again, because the rotundity of the globe would present a kind of mountain, up which it would be impossible to sail even with the most favorable wind.

"Modern poets," says a leading Boston journal, "enjoy longevity. Browning lived to be seventy-seven. Wordsworth, Bryant, Emerson, and Longfellow were old men. Whittier, Tennyson, and Walt Whitman still live." Started out by that item on Old Poets and Poetry for chyle to inner American sustenance—I have thus gossipped about it all, and treated it from my own point of view, taking the privilege of rambling wherever the talk carried me. Browning is lately dead; Bryant, Emerson and Longfellow have not long passed away; and yes, Whittier and Tennyson remain, over eighty years old—the latter having sent out not long since a fresh volume, which the English-speaking Old and New Worlds are yet reading. I have already put on record my notions of T. and his effusions: they are very attractive and flowery to me—but flowers, too, are at least as profound as anything; and by common consent T. is settled as the poetic cream-skimmer of our age's melody, *ennui* and polish—a verdict in which I agree, and should say that nobody (not even Shakespeare) goes deeper in those exquisitely touched and half-hidden hints and indirections left like faint perfumes in the crevices of his lines. Of Browning I don't know enough to say much; he must be studied deeply out, too, and quite certainly repays the trouble—but I am old and indolent, and cannot study (and never did).

Grand as to-day's accumulative fund of poetry is, there is certainly something unborn, not yet come forth, different from anything now formulated in any verse, or contributed by the past in any land—something waited for, craved, hitherto non-expressed. What it will be, and how, no one knows. It will probably have to prove itself by itself and its readers. One thing, it must run through entire humanity (this new word and meaning

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Solidarity has arisen to us moderns) twining all lands like a divine thread, stringing all beads, pebbles or gold, from God and the soul, and like God's dynamics and sunshine illustrating all and having reference to all. From anything like a cosmical point of view, the entirety of imaginative literature's themes and results as we get them to-day seems painfully narrow. All that has been put in statement, tremendous as it is, what is it compared with the vast fields and values and varieties left unreaped? Of our own country, the splendid races North or South, and especially of the Western and Pacific regions, it sometimes seems to me their myriad noblest Homeric and Biblic elements are all untouched, left as if ashamed of, and only certain very minor occasional *delirium tremens* glints studiously sought and put in print, in short tales, "poetry" or books.

I give these speculations, or notions, in all their audacity, for the comfort of thousands—perhaps a majority of ardent minds, women's and young men's—who stand in awe and despair before the immensity of suns and stars already in the firmament. Even in the Iliad and Shakespeare there is (is there not?) a certain humiliation produced to us by the absorption of them, unless we sound in equality, or above them, the songs due our own democratic era and surroundings, and the full assertion of ourselves. And in vain (such is my opinion) will America seek successfully to tune any superb national song unless the heart-strings of the people start it from their own breasts—to be returned and echoed there again.

WALT WHITMAN.

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THE LONDON POLICE.

BY JAMES MONRO, C. B., LATE COMMISSIONER OF POLICE OF THE METROPOLIS OF LONDON.

THE associations produced by locality in connection with administration are nowhere more noticeable than in the Metropolitan Police. For many years Bow Street was synonymous with the police force of London; in more recent times, and in every country, Scotland Yard has taken the place of Bow Street in representing to all the world the system of police organization in the metropolis. The close of the present year, therefore, which will probably witness a change in the headquarters of the force, may be said to mark a period in the history of its progress. The dingy collection of detached houses, thrust out of public view in Great Scotland Yard, which gave to the force a "local habitation and a name," is to be abandoned, and a spacious building on the Thames Embankment, "plain for all folks to see," will constitute the central office of the Metropolitan Police.

With the architectural merits or demerits of the new structure the police have not concerned themselves; they are sentimental enough, however, to feel pleased that the transfer of site does not involve a change in the name of their headquarters, and that at New Scotland Yard the metropolitan force will still be able to identify themselves with the local designation which has been so long and so intimately associated with their past history. For the first time since the creation of the force the Metropolitan Police will have a central office which is worthy of the name, and the extent of the accommodations which it has been found necessary to provide is significant of the growth of the administrative system which is required to meet the wants of the capital of the kingdom and of a population not far short of six millions. At this period of its history a few remarks as to the constitution and organization of the great force administered from New Scotland Yard may not be considered out of place.

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Although some of the duties performed by the Metropolitan Police are imperial in their character, and extend far beyond the local limits of the metropolis, the force in its constitution is distinctively local, and the sphere of its ordinary operations is restricted to what is known as the Metropolitan Police District, embracing an area of about 700 square miles, within a radius of fifteen miles from Charing Cross.

In commenting on the origin and development of modern police, Mr. Pike, in his "History of Crime in England," published fourteen years ago, writes:

"Local traditions are not yet entirely extinct, and they have retained so much vitality, even in the capital, that the police of the 'City' of London is under the management of the corporation, while the police of the rest of the metropolis is under a separate control. Whether this apparent anomaly is due to the vitality of local traditions, or to the application of the principle of self-government *quâ* police, which may extend some day to the metropolitan force, the fact still remains that the police of the 'City' of London, surrounded as it is on all sides by the Metropolitan Police District, remains still under the control of the corporation of London, and is a separate force altogether from that which is known to the world as 'Scotland Yard.'"

Roughly speaking, the strength of the whole Metropolitan Police force, officers and men, may be put at 15,000, from which may be deducted about 2,000 men who are employed at Her Majesty's dockyards and military stations beyond Metropolitan Police limits, or on special protection posts at public offices or buildings. For the performance of ordinary police duties in the police district there remain, in round numbers, about 13,000 men of all ranks—a small force, truly, when we consider the enormous population concentrated within a limited area, and the immense value of property to be protected from the attacks of the most expert criminals of the country. We have not yet, in England, attained to that perfect state of society, referred to by an eminent French writer, in which "each one should always be his own constable, and end by not having any other"; and this ideal condition of affairs has hitherto not been reached, so far as I am aware, in any capital city or any country of the civilized world.

On the contrary, the advance of civilization seems generally to be attended by demands for an increase of police. The strength of the police force in the city of New York, with a population exceeding one and one-half millions, was in 1888 about 3,400 of all ranks, supplemented by "special police," and able, in times of emergency like the recent railway strikes, to call to their assistance hundreds of detectives from Pinkerton's agency;

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so that London, with a population approaching six millions, is weaker, as regards the number of its constables, than the most populous city of the West. For years past the insufficiency of the strength of the metropolitan force to meet the growing wants of the capital has formed the subject of complaint on the part of the executive, and the same state of affairs appears to exist in New York. "An increase of the patrol force," write the New York Board in 1888, "is almost indispensably necessary. Many important and densely-populated sections of our city are inadequately protected, and frequent applications are made for police protection which the Board of Police are compelled to deny, while recognizing the necessity which prompts the several applications." The opinion of the Board of Police in New York, with a larger proportion of police to its inhabitants than London, has been that expressed by every Commissioner of Police of the metropolis for years past. The need for increased police to cope with the public demand for increased protection has been emphatically recognized by the press, and the opinion of the public has been humorously set forth by "Mr. Punch" in his cordial indorsement of the views of Policeman X., Junior:

"If double duties tax the force, the numbers, too, you'll have to double 'em.
. . . . . .
The Metropolitan Police has other duties—ah! a many,
Than them 'ere early Peelers had, and if we costs a pretty penny,
In times like these, so given to crimes, so Socialistic and Home-rulish,
A policy that's pennywise must be pertikerly poundfoolish."

The pressure of public opinion resulted, last year, in the augmentation of the force by 1,000 men, which will modify the demands for additional police for a time. But, even so, the police force is small, considering the duties required at its hands, and every foreign visitor to the capital is amazed when he is told that the protection of London is secured, by day and night, with such a comparatively weak force as can be placed upon the beats.

Weak in numbers as the force is, it would be found in practice altogether inadequate were it not strengthened, to an extent unknown, I believe, elsewhere, by the relations which exist between the police and the public, and by the thorough recognition on the part of the citizens at large of the police as their friends and protectors. The police touch all classes of the public at many points beyond the performance of their sterner duties as representatives of the law, and they touch them in a friendly way.

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Few crossings in crowded thoroughfares can be got over by the nervous and the timid without an appeal for the courteous help of the policeman; no marriage party in the West End is complete without the attendance of Scotland Yard to quietly look after the safety of costly wedding gifts; the laborer in Whitechapel depends upon the early call of the man on beat to rouse him for his work; the police bands often cheer the spirits of unfashionable audiences in the East End, and the police minstrels are cordially welcomed at concerts for charitable purposes. Many a homeless wanderer has to thank the watchful patrol for guiding her to a "refuge" for the night, and it is no uncommon sight to see a little child, lost in the streets, trotting contentedly by the side of a burly guardian of the peace in a custody as kindly as it is secure.

"Well, how were you on Sunday"? said the philanthropist, Miss Octavia Hill, to an old woman, in a low neighborhood; "was it very rough"? "Oh!" she answered, "it was like Heaven, such a lot of police about!" The police, in short, are not the representatives of an arbitrary and despotic power, directed against the rights or obtrusively interfering with the pleasures of law-abiding citizens; they are simply a disciplined body of men, specially engaged in protecting "masses," as well as "classes," from any infringement of their rights on the part of those who are not law-abiding—a force which is felt to be only a terror to the evil-doer and "for the praise of them that do well."

It is not to be understood that the public always smiles on the policeman, or that he is above committing mistakes. Of criticism, indeed, the members of the force come in for a full share from a public which not unfrequently finds a relief for its feelings in decrying its own institutions. We all know how fond John Bull is of declaring that he has no army fit to take the field and no navy able to appear with credit on the sea, and yet, notwithstanding—perhaps in consequence of—such unfavorable criticism, our soldier and sailors, whenever there is work to be done, seem to come up to the mark, and none is prouder of them at bottom than the said J. B. So with our police. Criticism, often hasty, often ill-grounded, is poured out upon them without stint at seasons of excitement, and any one reading the public prints at such times might readily imagine that London had no police worthy of the name. But, as Longfellow says, "The strength of criticism lies only in the weakness of the thing criticised"; and the

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record of the performance of their duties by the police constitutes a source of strength which, after all criticism and in spite of occasional fits of ill humor, the public fully and freely recognize.

The entire force is under the command of the Commissioner of Police of the metropolis, who, acting under the immediate authority of the Secretary of State for the Home Department, is responsible for the administration of the whole police system throughout the Metropolitan Police District. Under him are three assistant commissioners, two of whom deal with details of discipline and ordinary business, the third being specially intrusted with the control of the Criminal-Investigation Department.

For executive purposes the unit of police organization in London is the *division*. The whole of the Metropolitan Police District, including the River Thames, is marked off into twenty-two divisions ; some small, where population is very dense and traffic very large ; others of greater extent, in the suburbs and neighborhood of London. At the head of each of these divisions is an officer styled a superintendent, who is to the public the representative of police authority within divisional limits, and who is responsible to his superiors for the efficient direction and control of all matters relating to police administration in his jurisdiction. Under his command are several hundreds of men, distributed at various police stations throughout the division, and supervised by a chief inspector, inspectors, and sergeants, each rank of officer controlling others below him, till the divisional, or local, unit of the constable on beat is reached. It is obvious that the duties which are imposed on and required from an officer in the position of superintendent are very arduous and important. He is practically in the position of the colonel of a regiment which is always in active service, responsible for its efficiency and discipline, as well as for every detail of interior economy and administration connected with it. Let us hear what one of the superintendents, when examined before a recent committee, says as to the duties of his office :

625. How many hours on an average have you ?—I average 12 hours a day.
626. Night and day ?—Night and day.
627. Do you ever get a Saturday half-holiday ?—Never.
628. Do you have Sundays at home ?—Sometimes, but very seldom.
629. You have, in fact, constantly to be present and superintend anything that goes on in the division ?—Unquestionably.
630. Anything that affects the duties performed by about 700 men ?—Yes, the interior economy of the division and general supervision.

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631. And you are held responsible for the efficient performance of every part of the duty by your subordinates?—That is so.

632. And for that you receive what pay?—My present pay is 350*l.* per annum; it commenced at 300*l.*

633. Have you to be possessed of a knowledge of law?—Yes.

634. For what purposes?—For the purposes of administration, and also for the purpose of giving directions to all my subordinates upon all kinds of questions in connection with their duties to the public.

635. You are held responsible for knowing the law, and being able to apply it—the police law, that is?—Yes, and to instruct others.

636. The whole action with reference to crime, for example, passes through your hands?—It does.

637. And it is your business to control and advise and put right the officers who are charged with the general administration of the division?—Yes.

(Evidence of Superintendent Huntley before Committee on Police Pensions.)

The position of superintendent is the chief prize of the service, to which any constable may look forward. Every one of these officers has passed through the ranks, and won his way to a superintendentship by specially good service; and the tact and efficiency with which the duties are performed by the superintendents entitle them to the confidence reposed in them by their superior officers and the public at large.

For administrative purposes, and, specially, for utilizing the combined services of the force at any time when required, the various divisions are formed into what may be termed four brigades, or police "districts," each one of such districts comprising several divisions, and being under the control of a superior officer, originally termed district superintendent, but now known as chief constable, who is responsible for the general administration of his district to the assistant commissioners, and through them to the commissioner.

The principle of organization, in short, is one of local decentralization, tempered by centralization for administrative purposes; the individual responsibility commencing with the constable on beat; from him extending through sergeants, inspectors, chief inspector, to the divisional superintendent, and the general responsibility of the last officer being continued, through chief constables and assistant commissioners, up to the commissioner himself. All divisions are in direct telegraphic communication with headquarters and with each other, and the American system of electric communication between fixed posts in the streets and police stations is being introduced in exterior districts. How far this can be utilized in the crowded streets of interior divisions is a doubtful question, for reasons into which I need not enter here.

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So far as the experiment has hitherto gone, it has been attended with satisfactory results, and, where labor can be saved by such mechanical appliances, the Metropolitan Police will not be slow to profit by the experience of their Western brethren.

We turn now to the *personnel* of the force. From what ranks are the constables of the Metropolitan Police drawn? It is often supposed that the majority of the members of a force so highly disciplined are furnished by the army; but this is a mistake. The Metropolitan Police is not a military, but a civil, force. It forms no part of the garrison of London, and the proportion of soldiers who find a place in the ranks is, in reality, much smaller than is generally believed. The training of a soldier does not fit him for discharging many of the most important duties of a policeman, and the principle aimed at in the army with reference to military efficiency is diametrically opposed to that which must be followed in the ranks of the police. The whole teaching of a soldier is directed to suppressing his individuality—in the police such individuality is carefully developed; the sentry on his post remains blind to all that goes on around him, except as it concerns the limited range of the post, which he cannot leave—the constable on his beat has to keep his eyes open every moment, note what is passing, and interfere, in the interests of the public, at his discretion; military duty is necessarily unbending—police work is as necessarily elastic. In no place is it more necessarily elastic than in the crowded streets of London, and an army of military police would there be out of place.

From all ranks of civic life policemen are recruited; artisans, tradesmen, laborers, skilled and unskilled, yeomen's sons, farmers' sons, all find places in the ranks; for the Thames police sailors are required. The character of each candidate for admission into the force is carefully scrutinized, and his antecedents, so far as ascertainable within reasonable limits, inquired into. A moderate standard of educational acquirements is insisted on, and special regard is, of course, paid to the physical strength and constitution of each applicant. The medical examination which each man has to pass is probably stricter than in any other service in the country. The standard of height is 5 feet 9 inches, and every effort is made to secure "selected lives" for a service which involves constant risk to life and limb, and which wears out strong men in about twenty-three years.

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The state of the labor market at various seasons of the year naturally influences the supply of candidates, but it may be said generally that in ordinary times there is not much difficulty in securing suitable recruits to fill the constantly recurring vacancies in the force. From one cause or another, about eight hundred to one thousand men, roughly speaking, enter the force every year; a list of candidates is kept at the central office, and as vacancies occur a sufficient number of applicants to fill them are summoned to go through their preparatory course of training. Until very recent times there was absolutely no provision made for the accommodation and supervision of these recruits. They were brought up to be drilled, and with the end of their hours of drill on the ground attached to one of the barracks of Her Majesty's Guards the interest of the police authorities in their prospective constables ceased. No quarters were provided for them; they were attached to no division; they were compelled to dispose of themselves in miserable lodgings in an expensive part of the town; the subsistence allowance paid to them barely provided them with the necessaries of life. All this, however, has been changed, and a comfortable section-house has been erected, where recruits are lodged and fed under the supervision of responsible officers, where they are made to feel, from the moment of their entering what is called the "preparatory class," that they are treated as members of the force, and where they learn practically that their interests are looked after even before they don the blue uniform and are sworn in as constables of the Metropolitan Police.

As a rule, three weeks' drill is sufficient to allow of a recruit being passed into the ranks as a constable, when his practical instruction in the ordinary duties of a policeman commences. He is regularly taught the elements of police practice by an inspector; he is sent out on the streets in company with an experienced constable; he attends at the police courts to learn the conduct of cases; and gradually he is trained to take up the full duties of an ordinary constable on beat. His pay is 24 shillings per week; after three years it rises to 27 shillings; after five years further to 30 shillings. Sergeants receive from £88 to £100 per annum; inspectors, £117 to £162; chief inspectors, £190; superintendents, £350 to £400. The salaries in the Detective Department are higher. These rates of pay are apparently

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much smaller than the salaries attached to police duties in New York. Patrolmen in that city, I find, receive from $1,000 to $1,200—equal, roughly speaking, to £200 to £240 per annum; sergeants, about £400; captains, £550; inspectors, £700. Making every allowance for difference in cost of living, it seems clear that the claims of police workers to rank, to some extent at all events, as skilled laborers are, in the matter of remuneration, more liberally recognized in New York than in the metropolis of England.

The police "day" lasts from 6 A.M. to 10 P.M.; the "night" from 10 P.M. to 6 A.M., and the duration of "duty" varies according as it is performed by day or night. Day duty is performed in two tours of four hours each in interior divisions, while in exterior divisions, where the beats are longer, a constable remains on duty eight hours continuously. Similarly, duty at night is continuous for eight hours. Such night duty in winter is exceptionally severe, and every expedient has been resorted to for the purpose of diminishing the strain imposed by it on the men; but in practice it has been found less exhausting when performed even for eight hours continuously than in broken periods, as during the day. Still, the wear and tear produced by eight hours' night duty for a month at a time are very great, and nothing tells more severely upon the health and powers of endurance even of strong men.

It is needless to detail at length the various duties which are performed by the blue-coated guardians of the streets. The public peace is a wide word, and its maintenance involves a sphere of duty as extensive as the expression itself. To any one who has witnessed it the regulation of traffic in the crowded streets of London by the police is a matter for the highest admiration; and the security to life and property which is effected by their watchful care is, on the whole, marvellous. Prevention of crime in every shape is the highest duty of the uniformed police, but the results of prevention, being negative, cannot, unfortunately, be tabulated in figures. The public are ready to acknowledge police skill in a good arrest, or in the successful result of a complicated case, but they frequently fail to recognize the value of the quieter preventive measures which lead to no thrilling stories and no exciting incidents. The successful prosecution of dynamiters brought much credit to the police, who found the dynamite and who

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tracked the criminals to conviction; but the most perfect specimens of police work in that campaign were preventive; of which the public could not hear, and which naturally they could not commend. None the less real, however, is the value of the preventive influence of the police under ordinary circumstances; it may not be fully appreciated by the public, but it is a reality to the criminal; and while the measured tread of the night patrol may now and then interfere with detection, in very many cases it confers a security from attack which would very soon be found wanting if the much-abused "regulation boot" gave way to noiseless shoes or similar devices of the amateur policeman.

The maintenance of the peace is not secured without grave risk of life and limb to the force engaged in repressing disturbance. The roughs of London have an unenviable reputation for resorting to violence, and their victims too often are the police. In the Whitechapel Division about one-fifth of the force are annually injured on duty, and the proportion of men throughout the service who are compelled to go on the sick-list from assaults or wounds amounts to no less than 9 per cent.—a proportion much larger than amongst even railway employees, whose vocations are justly reckoned peculiarly dangerous. Many an American visitor has expressed to me his astonishment at the frequency of savage assaults on the police, at the forbearance with which constables endure violence without retaliating in self-defence, and at the inadequate sentences which are deemed sufficient punishment for such offences. "Roughs who attack policemen and brutes who beat their wives," said one gentleman to me, "seem to be privileged persons in your country!" The marvel only is that such a state of things should be allowed to continue, and that the public are content to see 9 per cent. of their protectors seriously injured every year without insisting that their assailants should meet with severe punishment.

Any reform in this direction would do far more to protect the police than spasmodic suggestions to provide them with revolvers as a means of defending themselves from armed burglars. As a matter of fact, the armed burglar is a criminal seldom met with; firearms, as a rule, do not commend themselves to the burglar class, and the number of cases in which the revolver is used is insignificant. The use of the revolver *by police* would certainly, in the present state of English law as to self-defence, lead to complica-

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tions which it is desirable to avoid; in ordinary circumstances the revolver is not nearly so useful for offensive or defensive purposes as the truncheon, and in a disturbance it might be quite as dangerous to the policeman as to his assailants. The opinion of the police themselves on this matter is the best indication of their lack of affection for the revolver. In every exterior division there is a store of revolvers kept at police stations, and any constable certified as fit to use the weapon is at liberty to have a revolver if he chooses; but the number of cases in which the permission is accepted is infinitesimally small. The metropolitan policeman prefers a truncheon in his pocket to a pistol at his belt, and takes his chances of danger from the armed burglar with comparative equanimity. The philanthropy, however, which has lately been active in agitating for milder sentences of habitual criminals might well make itself heard in protesting against inadequate punishment for crimes of violence against policemen.

While the prevention of offences against the law and the arrest of the offenders form the principal duty of every constable, a special agency exists for the detection of crime and the supervision of habitual or dangerous criminals; this is known as the Criminal-Investigation, or, more briefly, the Detective, Department. The presiding officer of this branch is one of the assistant commissioners, and for the efficient control and direction of its operations he is directly and specially responsible. Every day the reported crime of the entire Metropolitan Police District is laid before him, and he is thus enabled, at a glance, to ascertain the occurrences of the past twenty-four hours, and to direct attention to any quarter where special action is required. The principle of administration is, as in other matters, based on the divisional system: local crime is dealt with locally by a staff of detective officers under the superintendent of the division; special crime of an exceptional character, or extending beyond local limits, by a special number of selected officers, stationed at headquarters. The operations of the whole staff are controlled by the assistant commissioner, aided by the chief constable of the Criminal-Investigation Department and two special officers styled superintendents.

With the exception of the present chief constable and the assistant commissioner, every member of the detective staff, whether at divisions or headquarters, has served in the ranks and

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passed several years in the uniformed branch of the force. Surprise has often been expressed that for the detective service, which requires special qualifications and highly-developed intelligence, recruits are not sought in other directions than simply within the ranks of the uniformed branch. Experience has, however, shown that such a system cannot be followed with advantage; it has been tried and found not to answer; and while I do not think that improvement of existing arrangements is impossible, I can safely say that, for all practical purposes, the present system has turned out a staff of detectives with which any police administrator has the fullest reason to be satisfied. Every efficient constable, whether in uniform or in plain clothes, is bound, from the nature of his duties, to develop some of the qualities which go to form a good detective. Acquisition of useful information, observation of character, quiet attention to little things, application of the results of observation, fertility of resource, all are qualities which a constable on the beat has, every day of his life, opportunities of displaying, and there is no better school than a policeman's life in the streets of London for acquiring and applying the knowledge of human nature which is specially developed in detective work.

The self-restraint and self-control which are nurtured by discipline form a valuable part of the training of a detective, and, with the opportunities for the display of aptitude for criminal work afforded in the performance of ordinary police duty, it is not difficult to select candidates who seem specially suited for a detective career. With a detective force, moreover, drawn from the ranks of the uniformed branch, the principle of unity in the force is most effectively maintained, and the jealousy which would be excited by the existence of a detective staff recruited from outside is avoided. Each branch of the force relies on the other for assistance, and all, whether in uniform or on the detective staff, feel themselves to be members of one service, interested in performing their common duties to the public and in maintaining the reputation of the Metropolitan Police as a whole.

I have often been asked to supply the rules of the Detective Department and of the system of criminal investigation. My answer has invariably been that there are no such rules. The object aimed at is to detect crime, and each officer, guided when necessary by advice from his superiors, is left to himself—to his own ingenuity and to the development of his trained common-

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sense—to attain that object. The only restriction imposed upon him is that his operations must be strictly within the limits of the law; but detection "according to order" does not exist in the economy of Scotland Yard. In no department is the elasticity of police administration more required than in the detective branch; and in no work is the development of individuality more essential than in the performance of detective duties. On such individual development Scotland Yard relies for success in the detection of crime, and the results justify the policy. The popular idea of the detective of the Metropolitan Police is that he can never get rid of the signs of his individuality as a member of a semi-military force; that his military gait betrays him even to a casual eye; that, in spite of any disguise, the fatal "regulation boot" stamps him at once as a "passenger from Scotland Yard." It is almost a pity to dispel this illusion, which is certainly useful in diverting attention from many a detective; but the fact remains that the staff of the Criminal-Investigation Department, who have, probably for years, forgotten their acquaintance with the parade-ground, have no military gait; they do not wear any regulation boot at all; and they are able, apparently without exciting the attention of even interested observers, to adapt themselves, as regards outward appearance, to any society where their vocation leads them. Were it allowable to tell tales out of school, I could give many amusing instances in support of these remarks.

A specially important branch of the detective service at headquarters is to be found in the Convict-Supervision Office, which deals with the habitual criminal. Under the law, all convicts released on ticket-of-leave, or sentenced to police supervision in addition to imprisonment, are obliged to report themselves monthly to this office or to police stations. They are not allowed to leave the Metropolitan Police District without announcing their destination to headquarters, so that the police of the locality where they intend to reside may be communicated with; and on returning within the limits of the London district they are bound to acquaint the Metropolitan Police with the fact. Of the value of this supervision system there is not the slightest doubt; and, imperfect as it is in many respects, to its careful and efficient administration I attribute largely the check which, of late years, has been put upon organized crime. It is a system which might be

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used oppressively to the prejudice of the criminal anxious to turn over a new leaf; and its working, therefore, is most carefully supervised, and intrusted to special officers. Every inquiry regarding supervisees is conducted with the greatest secrecy and consideration; every effort is made, in coöperation with Discharged-Prisoners' Aid Societies and employers of labor, to procure work for convicts who are willing to forsake their old course of crime; and every means is used, while effectively carrying out the provisions of the law, to avoid even the appearance of persecuting or hunting down the criminals who come under its operation. The societies for the relief of discharged prisoners have testified emphatically to the humanity of the police in carrying out this very necessary system of supervision; and from personal experience, I can testify that the number of complaints made, even by prisoners, of improper action on the part of the police is infinitesimal.

Such is a brief outline of the system adopted by the Metropolitan Police for preventing and detecting breaches of the law in London. Judged by results, it is not too much to say that the security of the public in the streets is achieved and public order maintained in a manner unsurpassed in any capital city of the world. The regulation of the vast traffic of the metropolis throughout the day, and up to a very late hour at night, is carried out in a quiet, unostentatious, and efficient manner, which calls forth the highest commendation of all foreign visitors, and life and property are protected, on the whole, in a manner which leaves no very serious ground for criticism. It is true that crimes of violence generally have diminished in modern times; but, making every allowance for this, it is still marvellous that organized crime of a really serious character should prevail to so small an extent in an enormous population like that of the Metropolitan Police District. Excluding the unique series of outrages in Whitechapel,—at the non-discovery of the perpetrators of which none grieved more than the Metropolitan Police,—I cannot call to mind half a dozen really serious cases of murder which, within the last five or six years, have remained undetected; and the number of such offences committed is really small. Serious crimes against property, such as burglary and housebreaking, occur to the extent of about four a day, roughly speaking, and as regards detective results of these cases there is decidedly room for improvement.

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Still, judging by the criminal statistics of other countries, so far as these are available, and so far as the difference of classification of offences admits of comparison, there is less serious crime in London, proportionately, than in the capitals of other civilized countries. Crime in the Metropolitan Police District, on the whole, is kept well in hand, in the face of a more watchful criticism of police action than is anywhere to be encountered,—without the facilities for police investigation which exist in most other European countries,—and under a criminal procedure the defect of which, to quote M. Taine again, is that "it protects the individual at the expense of society, that it is too difficult to obtain legal proof, and that many guilty persons go unpunished." For the results attained few will deny that the public are largely indebted to the officers and men of Scotland Yard.

J. Monro.

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NOTES AND COMMENTS.

I.

THE RUTHLESS SEX.

IF THERE is one more characteristic difference than another between man and woman, it lies, as has often been noted, in the manner in which any adverse criticism directed against either sex is regarded by the members of the particular sex supposed to be aspersed. If it happens to be the feminine sex upon which the remarks have been made, our sisters arise as one woman to defend themselves. And why? Simply because each woman feels that *she* is individually attacked, that *she* is at fault, that the writer or speaker is aiming directly at *her*. On the other hand, if it is the masculine sex which is criticised, man as a rule pays little or no attention to the matter. Generalities, he has found by experience, hurt no one in particular. No man's individual vanity is wounded by what may be said in disparagement of his sex as a whole.

Passing from the sex to the individual, we find a different state of affairs. If in the intercourse of social life some woman is harshly criticised, do her sisters at once rally to her defence? Very seldom, it must be confessed. Instead, the word of disparagement is echoed, very faintly by a few women, very distinctly by many more, and with a delicate ingenuity in the prolongation of the note of dispraise worthy of admiration from a purely artistic point of view. Let a man be disparaged or harshly spoken against, do we find as a rule his brother-men, those who know him well, uniting to swell the chorus of adverse speech? I think not. I think it is a well-established fact that men in their intercourse with one another display a chivalrous regard for their fellows to a degree almost unknown among women. The loyalty to individuals which flourishes so vigorously amongst men seldom finds its counterpart among their sisters. It seems to me that it cannot be a hard matter to decide which is the loftier attribute of our nature—the feeling of personal loyalty to individuals of a sex which is due to a tolerant attitude of mind, or the fierce loyalty to one's sex which has its root in individual vanity and self-love. There are men who delight in stoning him who is down, as, on the other hand, there are women whose spirit of charity at such times is little short of angelic; but the sexes in the order named are not largely made up of such members. In spite, then, of some exceptions either way, the broad, distinctive fact remains that as a rule men are loyal to their fellows, however carelessly they may view any attack upon their sex, while women are disloyal to their sisters individually considered, but quickly resentful of any slight, real or supposed, which may be placed upon their sex.

One result of the persistency with which women make personal application of general assertions is a perpetual air of being on the defensive, which manifests itself often in the adoption of a pitiless code of judgment passed mentally or otherwise upon those about them. This of itself would not establish the truth of the assertion that women are more cruel than men, but it certainly has some force as an argument upon that side of the question.

It may seem a false putting of the case that such an assertion should be made when the many works of charity and mercy in which woman is engaged are remembered, but in spite of these labors of women the fact remains relatively true. Says Ruskin: "There is not a war in the world, no, nor an injustice, but you women are answerable for it; not in that you have provoked, but in that you have not hindered.

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. . . There is no suffering, no injustice, no misery in the earth but the guilt of it lies with you."

Indifference, according to Mr. Ruskin, is the sin of which woman is most guilty --an indifference which arises from that narrow habit of mind which is exclusively occupied with the present moment, which refuses or is unwilling to grasp any other than the purely personal aspect of it. Her sympathies are quickly roused to what is immediately before her eyes, *to what no mental effort is required to perceive*,—as, for instance, a horse savagely beaten by its driver,—but it goes no further.

Suppose that we are riding upon a street-car and the horses are straining every nerve to pull the heavily-loaded car up some sharp rise of ground. A street corner is reached and a woman standing there signals the driver to stop his car for her convenience. Unless he has received positive orders not to stop going up hill, he obeys her (with considerable inward grumbling), and the horses, which have stood their ground with some difficulty during the delay, are forced to redouble their exertions in order to overcome the inertia resulting from the stopping of the car. That she could have signalled the car from the foot of the hill or from the top never occurs to the woman, who, desiring to get on at that especial point, has no thought of anything further, the pain and even suffering which she has occasioned the horses being a matter of no moment to her. Or supposing the car is not ascending an up-grade, but is moving along upon a level stretch of road when signalled to stop at a street corner. A few steps further on a woman stands waiting for the car to come exactly opposite to her. It does not seem worth her while for her to walk those few paces and get on the car at the point where it has stopped for the convenience of others, and thus save the horses which draw it the strain and discomfort of an extra stoppage. Here is an instance of her indifference resulting in cruelty. Such occurrences as these cited are not exceptional, as any person who has occasion to travel on street-cars knows, but are happening hourly on every horse-railway line. And the average woman never perceives that anything is wrong in her practice in this regard until some one else, usually a man, has told her of it. She acknowledges that she never thought of it before, and forgets all about it by the next time she gets on a car.

I might instance other examples of cruelty resulting from woman's indifference, but those already named show the general character of those I have in mind. I pass on now to speak of a more flagrant kind of cruelty, springing from another cause. Miss Helen Gray Cone, in her poem, "The Tender Heart," describes a young man, who is devoted to hunting, so wrought upon by the pathetic pleading of a girl, who quotes at length from the poets against the sin of killing the fowls of the air and the beasts of the field, that

> "At Emerson's 'Forbearance' he
> Began to feel his will benumbed;
> At Browning's 'Donald' utterly
> His soul surrendered and succumbed.
> 'O gentlest of all gentle girls,'
> He thought, 'beneath the blessed sun!'
> He saw her lashes hung with pearls,
> And swore to give away his gun.
> She smiled to find her point was gained,
> And went, with happy parting words
> (He subsequently ascertained),
> To trim her hat with humming-birds."

It is not very long ago since the cry went up that certain species of birds were in danger of speedy extinction from the wholesale warfare made upon them in the interest of milliners and their customers. A few women, be it said, had always by voice and example protested against a fashion which demanded such a sacrifice of animal life for its gratification; but it was not until men had almost unanimously exclaimed against it that any reform was accomplished. I fear there is very little reason to believe that, if fashion should again demand a sacrifice of birds, it would not be offered by a large majority of women till vigorous remonstrance on the part of the other sex induced another reform. But why should not women in general perceive the cruelty of such a fashion as quickly as men, and, not waiting to learn gentleness and mercy from the so-called rougher sex, exclaim against it

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immediately? Is it not because vanity supplemented indifference, in this case, with cruelty of the most unnecessary, indefensible kind as its consequence?

To pass to wider aspects of the question. Women have endowed charities—that some man has founded. Nay, they have sometimes established hospitals themselves, but not until man had pointed out the way. All honor to the Elizabeth Frys and humble Sarah Martins, but it was John Howard who preceded them. The order of the Sisters of Charity was founded by a man!

It has happened not seldom in the history of the world that women have directly held the reins of empire. How does the record of their rule compare with that of monarchs of the other sex? Did Boadicea, Mary Tudor, Elizabeth, and Catharine of Russia display in their reigns any such marked qualities of gentleness and mercy as would be sufficient to distinguish them as preëminent for the possession of those qualities above their brother-sovereigns? Were those women who ruled by proxy, like Eudoxia, Catharine de Medici, and the brilliant and scandalous array of women who pleased the sensual fancies of the second English Charles and the fifteenth French Louis, renowned for their merciful attributes? These all held for a time the destinies of whole peoples in their hands, but we do not hear that they exercised any restraining influence over savage man, but in one most notable instance quite the contrary. And the queens of the ancient world—do they seem to have hated cruelty and loved mercy? Even when woman in past ages has not herself been swift to shed blood, has not she inspired man to deeds of cruelty, and then, like Thais,

> "led the way
> To light him to his prey"?

Is there not even a touch of cruelty in the nature of the otherwise gracious English Queen, which shows itself in her rigid insistence upon the rule which provides that, no matter what may be the state of the weather or the constitution of the individual, the ladies presented to her must exhibit uncovered shoulders in the sight of their sovereign?

The cruelty of man—for I am not asserting that man is not cruel—springs from a motive which in itself is not to be altogether contemned. Ambition to a certain extent is desirable, whether it manifests itself in a desire for power to be exercised for laudable ends or a resolution to obtain wealth to a reasonable amount. It is the excess of ambition in its many forms which provokes man's cruelty.

Feminine cruelty is the outcome of less noble promptings, and, so it would seem, arises from indifference, vanity, or jealousy, according to its degree,—sometimes from a fusing of all three,—and it is seldom held in check by reason.

I wish that I might end here, for if this were all there were to urge, and I bring forward nothing that is new in this connection, the title of this paper might with some reason be termed unjust and its implied assumption declared too sweeping to be true; but, O you women who cry out upon the cruelty and selfishness of men; you who are defended from the storms of this world by the care of these rough men, and you who proudly defend yourselves without such aid; you who dwell as the daughters of kings, and you who fare as those to whom toil is no stranger; O you women who are virtuous and honest, how are your hearts steeled against those sisters of yours who stumbled on ways that seemed smooth enough to you, who fell where you have walked upright!

Have you defended that sister of yours whose good name has been assailed as earnestly as you have rushed to the defence of your sex when you fancied it was slandered? Have you refused to believe evil of her against whom some stone has been cast? Have you refused to record your sentence against one accused till her guilt was absolutely sure? Have you, when this last was proved, declared that guilt unpardonable and thrust the offender out from your life and from your thought forever? Have you ever stooped to help one of those who was weak where you were strong, or who was tempted where you were not, or who fell because the way to her was rougher than you have ever dreamed? Have you done all these things?

The judgments which man passes upon his fellows are tolerant where woman's

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are narrow, because, instead of the one aspect of the question which she perceives, he sees many; they are merciful where hers are cruel, because he recognizes more fully the stress of temptation and the complexity of motive which lead to transgression. There have been a few women who have helped their weaker sisters to rise when they had fallen, but they are indeed few. The majority of women have done what they could to keep those who are down still in that position. They have refused to believe in the possibility of reform; they have withdrawn from all contact with those who have once found temptation greater than they could bear; they have, by their inflexible attitude, made a return to virtue nearly impossible on the part of those who have once turned from it. Who should be tenderer toward a woman's sin than a virtuous woman, and who is harder? O you queens, who have with your virtuous hands thrust your weaker sisters still further in the mire; who have shown aversion where you might have shown mercy; who have hardened your hearts, that should have been soft with pity; who have turned coldly aside from those, your sisters, whom you might have saved, and gone your ways as though these were not; O you who have lifted from your heads the crown of gentleness and mercy that all your sex should wear, are you not "ruthless" indeed?

OSCAR FAY ADAMS.

II.

A FATAL SYNONYME.

A HUMOROUS traveller ascribes the bibulous habits of the southern Slavs to the circumstance that in the language of the modern Servians the word "ecstasy" has the additional meaning of "drunkenness"; but a still more mischievous synonyme is the English word "cold" as an equivalent of "catarrh." In North America and western Europe lung diseases have become almost as homicidal as all other disorders of the human organism taken together, and I am convinced that it would be no overestimate to say that, year after year, a million cases of premature death are caused by the delusion ascribing coughs and catarrhs to the influence of cold outdoor air rather than of foul indoor air.

Even from an *a-priori* stand-point of investigation, it ought to appear rather paradoxical that the human lungs, so similar in their construction to those of our dumb fellow-creatures, should be fatally affected by the same air which millions of different animals habitually breathe with perfect impunity. Birds, young lambs, conies playing on a moonlit mountain meadow, kittens making their *début* at a house-top serenade, newborn monkeys cradled in the treetops of the tropical forest, colts and kids on a highland pasture, all breathe without the least detrimental effect the same air against which the dupe of the deplorable synonyme carefully closes his bedroom windows. Is a "draught" of pure cool air more perilous than a larger dose? How shall we explain it that sailors, hammersmiths, and railway conductors thrive under its influence, or that a constant influx of night air fails to affect the roving miner and the trapper in their tenuous tents?

It is true that lung disorders become more frequent after the middle of November, but might that experience not be explained by the circumstance that winter is, *par excellence*, the season of indoor life? A conjecture of that sort seems, more than a century ago, to have dawned upon that shrewd observer, Benjamin Franklin. "I shall not attempt to explain," he says, "why damp clothes are more apt to cause colds than wet ones, because I doubt the fact. I suspect that the causes of 'colds' are totally independent of dampness, and even of cold."

That conclusion is strikingly confirmed by the sanitary statistics of northern Europe and eastern North America. Consumption, it appears, is most frequent near the centres of industry, and its prevalence is exactly proportioned to the prevalence of indoor occupations. It is less frequent and less fatal in pastoral north Scotland than in manufacturing south Scotland; less frequent (measured by the death-rate per thousand inhabitants) in icy Manitoba than in smoke-shrouded New England. Its most numerous victims are not blizzard-breathing hunters and herders, but dust-breathing weavers, spinners, and millers. Its strongholds are not the

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draughty log sheds of the Canadian lumbermen, but the overcrowded, overheated, and underventilated tenements of night-air-dreading city dwellers. Its ravages are just as fatal in the factory cities of southern France as in the factory cities of north Britain; nay, the hectic Scotch weaver, seeking salvation in a change of occupation, has a better chance of survival than his French fellow-sufferer, for frost is an antidote, and a consumptive, turning game-keeper in the Scotch Highlands, will recover sooner than if his means had enabled him to pass his winter in the sultry tropics. Frost is an antiseptic. In stormy winter nights its breath often purifies the indoor atmosphere of our city homes, in spite of all air-excluding contrivances, and we accordingly find that epidemic catarrhs are much less frequent in midwinter than in March, when the accumulated disease germs get their first fair chance of development. Experience has also demonstrated the still more suggestive fact that far-gone consumptives have recovered in a winter camp, exposed to the ringing frosts of the upper Adirondacks, while in Florida the percentage of deaths from tuberculosis is altogether too high to be wholly explained by the aggregation of incurable invalids.

In other words, the most effective cure of pulmonary disorders has for centuries been mistaken for their cause. The Frost-giant Hrymir of the Scandinavian Saga was dreaded as the chief adversary of the human race, and an echo of that tradition from the land of the Baresarks may still haunt the souls of their cotton-spinning descendants; but the general introduction of the word "catarrh" would do much to exorcise such ghosts of the dark ages, for the chief error of thousands of shortened lives could still be summed up in the epitaph, "Killed by a deceptive synonyme."

FELIX L. OSWALD.

III.

THE CLAMOR FOR "MORE MONEY."

THE most frantic clamor for an increased supply of currency since 1873, when Wall Street urged and persuaded Secretary Richardson to issue a part of the greenback "reserve," was raised in the early autumn of the present year. It is not to be denied that there was great stringency in the money market. There seemed to be but little loanable money, and what there was could be had only on terms that would have satisfied *Shylock*. Wall Street believed, in accordance with its usual habit of taking extreme views and of exaggerating every situation, that the country was suffering from a lack of currency; it laid the blame for this condition of affairs upon the government, and looked to the treasury as the only possible source of relief. Granting that more money was needed, Wall Street was right in its opinion that the treasury alone, at that moment, could alleviate the situation. The Secretary himself seems to have thought so, for he adopted measures that let out upon Wall Street a flood of money and put a speedy end to the stringency. In doing this, however, he was driven to such expedients that the natural flow of money out of the treasury will be diminished for a year to come, and the Secretary's ability to relieve the market, should the conditions recur that prevailed in September, will be greatly impaired. The prepayment of interest acts like a valve upon money going into the treasury. If more money was let out in September, less money will come out in the months to come; and thus funds will tend to accumulate in the vaults of that monument of Jacksonian recklessness and Yankee unteachableness, the independent treasury.

During the previous month of August a new law had gone into operation which was designed to make a regular monthly addition to the money in circulation; and the idea that lay behind this legislation was that the thirty million dollars' annual increase that resulted from the operation of the Silver Act of 1878 was insufficient to meet the currency needs of the country.

Does the country need more money than it has? Did it need more in September? The answer to these questions must be a qualified one. Does the wheel of your ox-cart need a quart of oil to stop it from squeaking? That depends upon whether you are driving a clumsy Mexican cart, that is made expressly to squeak, or a well-finished American article. The demoralized victim of the opium habit cannot ex-

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ist without his daily supply of the drug, and an extra dose for an occasion; but his neighbor, who has not debased his system, can get along better than he without any at all. So this country, accustomed to a wasteful use of money, to an antique system which makes that money now disappear and now reappear, without regard to the course of trade, and to the obtaining of such extra sums as are occasionally needed by every great commercial community, through the operation of artificial and not of natural means,—this country did really need more money so greatly that even some conservative thinkers were persuaded that the silver legislation of the late session of Congress was justified.

Yet every one who knows the laws of money is aware that whatever artificial addition is made to the currency to meet a sudden want remains after the necessity for it has passed. Then it is first felt as a glut of money; next it furnishes the temptation and the means of speculation, which, in turn, ends in stringency and a renewed clamor for money. As in the case of the victim of opium, indulgence leads to increased craving, and an interruption of indulgence causes violent distress.

The needlessness of the repeated demands for an increase of currency which mark the financial history of this country may be demonstrated if it can be made to appear that not an increase of population, nor an increase of business, nor a combination of both, necessarily calls for an augmentation of the circulation. Now, in the first place there is nothing unreasonable in the proposition just announced, for the instrumentalities by which modern commerce economizes the use of actual money are capable of greater and more speedy expansion than is commerce itself. The bank, the clearing-house, the railroad, the telegraph—each of these suggests the devices by which an ever-increasing amount of service is imposed upon and rendered by each dollar of the circulation. So admirable is this machinery for the purpose to which it is put that where full advantage of it is taken an amount of money adequate to the transaction of a given amount of business may easily be made to effect the exchanges when the volume of business has become twice or thrice as great.

An illustration of this truth—the only one that will be offered here, the only one that is needed—may be found in the recent commercial and monetary history of England. London is still the exchange centre of the world, and in all financial matter it is still the principal ganglion.

Let us first notice briefly these facts: that after the outbreak of the Civil War in America, and before the adoption of the gold standard by Germany, England might have had almost the whole gold product of the world for the asking. Then from 1873 until 1879 Germany was a great competitor for gold, since it was necessary to provide a full supply of coin for the new standard; and since 1872 it has actually coined more than $600,000,000 worth of gold. Meanwhile, since the preparation for the resumption of specie payment in the United States began, not only has the whole gold production of this country—the greatest producer of gold in the world—been withheld, but a large sum has been drawn from England and other markets. France also has ceased coining silver and has required gold. Thus England, which had no competitors in the gold market for a long series of years, has recently had them on every hand. Yet such is the financial strength of London that, if gold had been needed, England might have drawn it from any part of the world, wherever there was gold.

And now, how has England endured this severe competition? It has passed through the whole period without a single crisis, without seeing a moment when the rate of interest was excessive; and while the volume of business has gone on increasing steadily, it has been transacted easily and without friction upon a diminishing volume of currency. The fact of an increase of business requires no proof. The total receipts of British railways increased from 63 to 73 millions sterling between 1878 and 1888. The number of letters carried by the post increased 50 per cent. in the same time. The gross value of the foreign trade, which was £611,775,239 in 1879, was £740,242,564 in 1889. The London bank clearings were 4,855 millions sterling in the year ended May 31, 1879; they were 7,648 millions sterling in the calendar year 1889. Facts like these might be cited by the score to illustrate the growth of British commerce. A stupendous structure of business and credit is erected upon

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the small but solid foundation of the English monetary system and the reserve in the Bank of England; and year after year the structure is built higher without peril to the stability of the whole.

Moreover, as has been said, it has been possible to remove a part of the foundation. During the eleven years from 1879 to 1889, inclusive, the gross importation of gold into Great Britain was £135,861,214; the exports, £140,572,084; the net export, £4,710,870. That is to say, taking no account of gold lost by abrasion and otherwise, and used in the arts, the stock of the metal which is the sole basis of British money was diminished by nearly five millons sterling. Nor does this tell the whole story; for whereas the notes of the Bank of England in circulation during January, 1879, were 33 million pounds, they had diminished in January, 1890, to less than 25 millions; and these notes constitute the only considerable and the only fluctuating class of paper money in use. Thus it appears that a greatly-enlarged volume of business was transacted easily with a volume of currency smaller by 13 million pounds, or $65,000,000.

And how about the United States? Prior to resumption in 1879 the country had entered upon an era of wonderful prosperity, for which the currency in circulation was quite inadequate. Yet the only money of the country was 350 million dollars in greenbacks, a slightly smaller amount of national bank-notes, and a sum estimated at 200 millions in gold, the greater part of which was locked up in the treasury. Certainly not more than 800 millions of all kinds of money were in the hands of the people. Since then, up to October, 1890, there have been coined 377 million silver dollars and 487 millions in gold—864 millions in all. The country has produced, according to Mr. Valentine's estimate, 365 millions' worth of gold; and it has made a net importation in the eleven years before June, 1890, of $165,004,126. (Imports, $413,213,288; exports, $248,209,162.) Meantime the issue of national bank-notes has decreased by about 170 millions, and the amount locked up in the treasury has increased, though not largely. It was estimated by the Treasury Department on October 1 that the amount of money in circulation was 1,498 millions; which sum, it will be observed, corresponds with reasonable exactness to 800 millions circulation in 1879, *plus* 864 millions coined, *minus* 170 millions of bank-notes withdrawn.

And yet, *with an addition of 700 millions to the circulation, the slight clogging* of a few millions in the treasury about the first of September came near causing a financial crisis! Make every allowance for the greater growth of the population of this country as compared with Great Britain, and its enormous internal commerce, and still it does not appear that the vast increase of currency was needed. Still less do the facts give a justification of the sharp stringency, and the peril of a financial convulsion which the prompt and vigorous intervention of the Treasury Department was needed to avert.

The explanation is to be sought deeper, and the remedy for a recurrence of the difficulty is elsewhere than in new coinage laws or in the action of the Secretary of the Treasury. This is no place, nor is the space at my command, to work out the problem; but one or two hints will indicate where a partial or total remedy may be found.

1. The sub-treasury system ought to be abolished forthwith. When business is active, the receipts of the government are large, but the outflow is not increased. At the very time when the use of money increases, the operation of an absurd treasury system causes it to disappear in vaults whose doors swing inward only, and to be lost to commerce. It is a very remarkable fact, if it be a fact, that in this country alone of all the world it is perilous to intrust the custody of the public money to a bank which can keep the public deposits as funds still available for commercial purposes.

2. The operations of the banks are conducted with a semi-privacy which results in a concealment of currency movements until the opportunity to take defensive measures has passed. It would be greatly to the advantage of the banks and the banking interest if every considerable transfer of money from one city to another were promptly notified to the clearing-house, so that the movements of currency should be known by all.

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3. There should be a clearing-house of clearing-houses, for the purpose of effecting all the exchanges between the banks of the country in the promptest manner and with the least possible transfer of actual money.

These are but desultory hints, that may be worth much or little. But in either event the fact remains that through the use of the proper means the present supply of money may be more than sufficient not merely for present needs, but for twice the population and twice the commerce of the United States to-day. An excessive amount of currency is doubly to be deplored as an incentive to speculation and a sure cause of inflated prices, and as locking up property in an unproductive form. The obstreperous advocates of more money are the lineal descendants of the fiat-money Greenbackers, who once nearly succeeded in carrying their pernicious measures. The first thing to be learned is that legitimate business does not need an ever-increasing supply of money, but is injured rather than benefited by an excess of the currency. Then let us learn that, if commerce is left free of government interference with the monetary system, either by locking up funds or by letting them out to relieve a stringency, commerce can take care of itself. Then the only lesson remaining to be learned is the means of causing a dollar to do the utmost possible work in effecting the exchanges of the country. In short, we need more financial science and less senseless clamor for more money by men who do not know the first principles of the science.

EDWARD STANWOOD.

IV.

PREMONITIONS AND WARNINGS.

THE intimacy of my friends C. and L. was of the closest kind. Associated in business, sharing the same bachelor apartment, and having much in common, they were like brothers. When L. died, his death affected C. deeply, its suddenness adding greatly to the shock. About two years after it occurred C. married. Mrs. C. had known L. The honeymoon was to be spent in a trip to Niagara. The wedding took place on Thursday, and the newly-married couple were to start on the 10:30 A.M. train on Friday. They drove to the station and, as C. opened the carriage door, he saw, or thought he saw, L.'s figure standing in the station entrance. Mrs. C., following the gaze of her husband, saw it too. As C. alighted from the carriage the figure disappeared into the station, and though he searched among the throng of passengers, he could discover no trace of the apparition, if apparition it were. Now, C. is not a particularly superstitious man, but Mrs. C. has a certain amount of superstition in her nature; indeed, she had objected somewhat strongly to starting on Friday. So when C. returned from his search in the station, his wife could not be induced to take the 10:30 train for Niagara. They returned to the hotel at which they had been stopping, Mrs. C. fully convinced that the train would be wrecked or that something awful would occur. Saturday's papers were eagerly scanned for an account of the accident to the 10:30 train. Nothing was found. No accident had happened.

An analysis of this case leads to a solution of those numerous cases of premonitions and warnings that constantly mystify mankind. Of course C. and his wife did not see L., but they undoubtedly saw some one who closely resembled him. The Friday start and the discussion upon it probably aided in the deception. If an accident had occurred to the 10:30 train,—and the chances of it some statisticians could figure to a decimal,—C. would have been firmly convinced all his future life that he had seen L.'s ghost. The warning that Mrs. C. would have claimed to have had against starting on their honeymoon on a Friday would have been recorded as genuine'; Friday would have received another black eye, and another supernatural, ghostly warning would have been added to the many "well-authenticated" ones already extant.

Now, this case of C. and his wife is not a unique one. It is as natural an occurrence as happens in every-day life. The human mind is so constituted as to fear injury and death. Fear is one of the most powerful of the mental emotions. It is

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because of our intuitive recognition of this fact that courage is the human virtue most admired, for courage in man is the result of the will conquering fear.

Fear is the parent of superstition.

It may be taken as an axiom that no man enters upon any undertaking involving known danger without a premonition of disaster. The reaction of the free-born premonition upon its parent fear exaggerates the latter, and tends to distort mental impressions, not infrequently to such an extent as to produce an hallucination or a delusion.

This mental operation is, I believe, a very common one. Few men exist who have not at some time in their lives experienced it. The following rather remarkable example occurred to an acquaintance of mine, a reporter connected with a well-known news agency and a man of more than average intelligence: Late one night while returning to his home he was startled at seeing the cupola of a neighbor's house in flames. The fire appeared to have just broken out, and was curling out of a window, licking the cornice and roof. He listened for the alarm bell in a neighboring engine-house, and distinctly heard it ring and the noise caused by the engine horses as they rushed to their places. Some smoke borne on the wind from the fire entered his nostrils. All this took place in a few seconds of time. He hastened into his own house, found his wife awake, told her of the fire, exhorted her not to be afraid, and went to the window. The neighbor's house was in full view. No fire was there.

Here we have a man, apparently in perfect health, deceived by three of his senses. The train of thought that led to the deception was started in this way: the reporter had been recently engaged in reportorial work connected with several large fires, and had feared that a fire in his own neighborhood would seriously affect his wife, who was in delicate health.

I have frequently seen medical students suffering from delusive symptoms of a disease that they were studying.

How often are we startled by a coincidence? The coincidence is as common as it seems remarkable; in fact, the words remarkable and coincidence are almost inseparable. A coincidence may be defined to be a concurrence of related events. When we recollect that a man's life is composed of an infinite number of events, and that all these events are caused by factors taking different periods of time to effect their results, it does not seem strange that related events should frequently occur coincidentally.

Now, join one of these ordinary, "every-day" coincidences to a premonition or to an hallucination, and, presto! the result is as astonishing as the conjurer's production of ink from the combination of two white liquids.

The coincidence reveals the premonition and the warning. Unless the former happens, the latter is never told.

The genuine, authenticated cases of premonitions and warnings are fathered by fear and mothered by coincidence.

CYRUS EDSON, M. D.

V.

THE ARMY OF MERCENARIES.

THROUGH the persistent efforts of certain real and pretended veterans of the Civil War, the people of this country are in danger of revising some old ideas and learning some new definitions. It seems that the word "patriot" means "one who works for pay." Patriotism represents a cash bargain. The old Latin phrase is to be amended so as to read "*Dulce et decorum est pro pecuniâ mori.*" The boy who is taught "that a country's a thing men should die for at need" will also be taught that no man should take the risk of dying until he has "dickered" with the country and exacted the promise of money enough to cover the risk. And on the coin of the country the motto ought not to be, "In God we trust," but "How much am I offered?" He who for pay fights for some country other than his own is a mercenary, and deserves but little consideration from honorable men. He who for pay fights for his own country is a patriot, and may dun his government to the end of time. If a man for a pecuni-

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ary consideration saves a stranger from death, he may pocket his reward and know that the matter is at an end. If a man for a pecuniary consideration saves his mother from death, he is a very noble character and should constantly remind her of the service he has rendered and demand an annuity from her for the rest of his life.

It will be understood that I do not refer to those who, having served bravely and well, went quietly to their homes when the end came, at peace with their own consciences and seeking nothing more. These will not be found in the ranks of the unscarred army that is now fighting for more cash. I am speaking of those survivors of the war who resemble the cherubim and seraphim only in the fact that they "continually do cry," and who regard the public treasury as a grab-bag from which any one who can insert his hand under color of law may take whatever he can grasp. If this be patriotism, there are many persons, neither dishonorable nor unintelligent, who not only never feel the sentiment, but pray that they may be delivered from it.

Worse things may happen to a country than to fail in an effort to preserve its unity. The loss of honor is more than the loss of territory. If the idea that service to the country should rest on a cash basis is the outcome of the Civil War, it is beyond question that the Union was saved at too great a price. It would be better that the Southern Confederacy should have taken its place among nations than that in the restored Union there should come to be a feeling that a man's loyalty is to measure itself by the amount of money which he can extract from the nation's pocket.

No people have ever given such practical effect to admiration for heroic deeds as the people of the United States. No country has ever been so lavishly generous to its defenders as this. Provision has been made for the families of dead soldiers. Pensions have been showered upon almost all cripples who ever heard of the war. For the injured and indigent veterans homes have been provided. In nearly all of the offices within the gift of the United States and the several States veterans have the preference for appointments. All this for men who, if they fought for others, fought also for themselves. It was their own country that was in danger. Yet dishonorable veterans and alleged veterans, finding that robbery of the treasury is not difficult, eagerly pursue the vocation of highwaymen, and swing the threat of their votes over the head of a timid Congress.

If we yield to the noisy demands of the orators of the rights of veterans and consider the question simply as one of debt, what do we find? That the Southern planter of a half-century ago had no such power over his slaves as the State has over its citizens. Every one is familiar with the exercise by the State of the right of eminent domain, and nearly every one knows the meaning of it—that the State has a right to the property of the citizen paramount to the right of the citizen. Every one is familiar with a draft made by the State in time of war; but I am inclined to think that very few people know the meaning of it. Yet it rests upon the same basis as eminent domain; in fact, it is another form of eminent domain. The State has a right to the life of a citizen paramount to the citizen's own right to his life. To him who carefully studies the meaning of a draft it explains everything and leaves nothing to be said. That the State should take an innocent and peaceable citizen, force him into the army, place a weapon in his hands, and stand him up before the enemy to kill or be killed,—nay, itself put an end to him if that be advisable—there is surely no more interesting commentary than this on the doctrine that the State is placed under a heavy debt to those who fight for it. There is no more question of contract between a citizen and the State than between a house and its owner or a chair and its owner. The citizen and all his belongings are owned by the State, to be "handled with care" undoubtedly, but to be used, when the occasion demands, by right of ownership. And if a man does not feel in his inmost soul that he belongs to his country, and that sacrifice for her is its own compensation, then let him know this fact, stated without sentiment and coldly: that he belongs to her as property, to be rewarded or not, as she sees fit; to be put to death or not, as she sees fit.

Twenty-five years ago, had one flung at us the scornful question of Charles

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Dickens, "What is a flag to them?" we should have pointed to the Civil War and let that speak for us. The time seems to be approaching when we must try to think of some other answer. Of all the sorrowful things that have happened in this country this is not far from the sorrowfulest: that there should be growing in the minds of the younger generation a feeling of something like contempt for those who have perilled their lives in a noble cause in the greatest war of history. And such a feeling *is* growing, in spite of the fact that just now the veteran seems to have it all his own way. For this the veteran has only himself to thank. He has permitted himself to be represented as a mercenary instead of a patriot; he has not protested when the most disreputable beggars have assumed to act as his spokesmen; he has allowed blatant demagogues to gain control of and render odious the Grand Army of the Republic; he has viewed without disapproval the plunder of the treasury carried on under pretence of collecting a debt. It is not in this way that he can win the respect of succeeding generations. Let him, rather, repudiate the idea that the country owes him anything for his service to her. Let him deserve the name of patriot by asserting that a man owes to his country, at need, property, liberty, and life, and that when he parts with any of these in her service he simply pays a debt.

Peace hath her victories as well as war; and often even more than war peace tries a man of what metal he is made. Far too many believe that to the victors belong the spoils; and not this alone, but that no one need feel called upon to enter the contest unless the spoils are guaranteed to the victors. This founding of service to the country, not upon the simple dictate of duty, but upon the inducement of some pecuniary consideration, is one of the evil tendencies of the time. To every one, as though for a final test of what life means to him, there comes, sooner or later, the question with which Flannigan of Flannigan's Mills achieved notoriety: "What are we here for if not for the offices?" Let no one deem that country prosperous, however busy may be its factories and productive its fields, whose citizens have no answer for that question.

JOHN H. HOPKINS.

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